United Nations A/HRC/WG.6/27/IND/1

General Assembly

Distr.: General
23 February 2017

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-seventh session
1–12 May 2017

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

India

* The present document has been reproduced as received. Its content does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.

GE.17-03091(E)

Please recycle

Introduction

1. With one-sixth of the global population, India is the world's largest democracy that is home to a multi-ethnic, multi-religious, multi-linguistic population that has lived together for millennia with an ethos of respect for diversity and plurality. Supported by a rights oriented constitutional framework, a secular polity, and independent judiciary, a range of national and state level commissions that monitor compliance with human rights, a free press, and a vibrant and vocal civil society, India continues its endeavours towards fulfilling its human rights obligations. Recognizing the universality, indivisibility and interrelatedness of all human rights, India places equal emphasis on the civil and political rights and freedoms of its citizens as well as their socio-economic development. Aware that historical factors as well as extant social structures can render certain communities more vulnerable to exclusion, marginalization and human rights violations, India prioritises, through a range of protective and affirmative measures, the attainment of liberty and development for all. In the spirit of leaving no one behind, India follows the motto of "*Sabka Saath, Sabka Vikas*" (all together and development for all).

I. Process for the preparation of the report

A. Approach

2. This national report has been prepared in compliance with the United Nations Human Rights Council Decision 17/119. This report emphasises measures that the State has undertaken for the protection, promotion and fulfilment of such commitments since the previous round of review. Where possible, the report catalogues the targets, achievements, shortfalls and indices for evaluating the effectiveness of State action. At the same time, India asserts that numeric measurement is not the only criteria for assessing its human rights record. For India, as for any other country, the realization of human rights is a work in progress, and this report documents the steps taken by the country towards this goal.

3. As far as possible, this report has been drafted in line with the informal guidance note issued by the OHCHR dated November 8, 2016. Most of the recommendations accepted by India in the previous review pertained to socio-economic rights which are subject to progressive realization through continuing action. Therefore, instead of classifying recommendations as full, partial or not implemented, this report uses the thematic clusters provided in Annex 2 of the guidance note as the framework for the report. Within each thematic cluster, the report first provides an overview of the recommendations accepted by India in the previous round and voluntary pledges made by India, if any. It then explains the advancements in implementing these recommendations/pledges. Further, under the same thematic heading, the report details any other emerging issue or development that falls within the scope of the theme but was not subject of an accepted recommendation or pledge.

4. The report aims to enable engagement, conversation, and dialogue on how best to proceed towards the shared goal of advancement of human rights, and to this end, highlights the achievements, challenges and constraints present in India's human rights journey.

B. Methodology

5. India believes in using the UPR national report drafting process as an opportunity to receive feedback on its laws and policies for advancing human rights. For this reason, India followed a broad-based consultative process in drafting the national report. The Government of India requested the National Law University, Delhi (NLU, Delhi) to assist with preparing the initial draft of the report. NLU, Delhi organized a series of national level consultations with civil society representatives, national human rights institutions and commissions, and academicians to aid in the identification of issues, achievements, challenges and constraints relating to advancing human rights in India. Government representatives attended all the consultations. They also attended five regional consultations and one National Consultation which were organized by the National Human Rights Commission (NHRC). A draft of the national report was published online for public comments. In a series of inter-ministerial meetings, the feedback received through this consultative process was relayed back to the relevant Ministries.

II. Implementation of accepted recommendations and voluntary pledges, other developments

A. Cross cutting issues

Inclusive sustainable development

6. At the second review, India committed to continuing its efforts towards socio-economic development and poverty eradication. It agreed to provide more resources for the enjoyment of economic and social rights, and to make efforts towards ensuring that such rights are available to all, especially vulnerable groups like women, children, poor people and minorities. Towards this end, the country also agreed to put in place monitoring mechanisms to ensure that the objectives of its progressive policies are achieved. India has also pledged to continue to foster a culture of transparency, openness and accountability in the functioning of the Government, as enacted in the Right to Information Act.

7. India attaches utmost priority to poverty eradication and achieving an inclusive sustainable development. Its policies and priorities mirror the 2030 Agenda for Sustainable Development.[1]

8. India believes that inclusive and equitable development is the key to securing a life of dignity, security, empowerment and freedom for all. For this reason, India has put in place a robust set of socio-economic policies to address the various basic needs of people, including health, education, housing, poverty alleviation, women empowerment, food security, social security measures and the like. Acknowledging the need for sustainable development, and the potential conflict between competitive growth and inclusive growth, India directs its policies towards enabling economic growth consistent with the imperative of ensuring that the benefits of such growth reaches all sections.

9. An example of this commitment is the Stand-Up India Scheme which was launched in 2016 to facilitate bank loans to members of Scheduled Castes, Scheduled Tribes and women entrepreneurs for setting up greenfield enterprises in manufacturing, service or trading sectors.

10. The 2005 Right to Information Act has been a flagship legislation to vastly improve government accountability and transparency. The Government is committed to supporting the users of the Act against harassment and injury. In furtherance of this commitment, the Whistleblowers Protection Act was passed in 2014.

11. To aid efforts towards reducing corruption and increasing accountability, the Lokpal and Lokayuktas Act, 2013 was enacted. The Act establishes ombudsmen for inquiring into allegations of corruption against public functionaries.

12. To prevent leakages due to corruption, and to ensure the targeted delivery of scheme benefits, India has introduced the Aadhaar Unique Identification Number, which provides single window access to a range of information about beneficiaries and helps in identification of beneficiaries through the use of biometric data, with the aim of ensuring that benefits and subsidies reach the right person. To further institutionalize the project, the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 was passed by Parliament. As of date, 1.08 billion Aadhaar cards have been issued.

13. A key plank of India's development agenda, as well as of its push towards good governance and the creation of a knowledge society is the "Digital India" programme. Launched on 1st July 2015, the programme has the vision to transform India into a digitally empowered society through increased connectivity, increased access to knowledge, delivery of services, and e-governance through digital means.

Climate change and environment

14. India is committed to continuing its efforts in relation to its environmental policies. India has articulated its belief in ethical and people centric approach to climate change through the concept of "Climate Justice". The Supreme Court of India has also recognized the right to clean environment as part of an individual's right to life guaranteed by the Constitution of India.[2]

15. India has taken a lead to push for strong domestic climate action for a more sustainable development pathway. India is striving to provide access to modern and clean energy sources to all its people.

16. India has prioritized renewable energy technology and has launched an ambitious domestic effort to achieve 40 percent cumulative electric power installed capacity from non-fossil fuel based energy resources by 2030[3].

17. India facilitated the entry into force of the Paris Agreement by ratifying it in October 2016, and thereby renewing its commitment to achieve its Nationally Determined Contributions (NDC).

18. In addition to the bold and ambitious domestic action, India pushed for the acceptance of the principles of historical responsibility, equity, and Common But Differentiated Responsibility (CBDR) to defend the interests of the people in developing countries.

19. India played a constructive role at the Kigali meeting in October 2016 to amend the Montreal Protocol to include HFCs in its ambit.

20. Dedicated policies have been launched to sensitize citizens on developing city-forests and to promote climate-smart green cities.[4] India has been enthused by the growth in forest cover from 21.05% in 2011 to 21.34% at present, and will endeavour to increase it further.

21. Water resources conservation is a priority for the Government. Concerned about the continuing pollution of water bodies and depletion of ground water, innovative schemes have been launched to provide better irrigation facilities[5] and conservation of wetlands,[6] existing water bodies, and their respective ecosystems.[7] The Model Groundwater Bill, circulated to states by the Central Government, has so far been adopted by 15 states.[8]

22. India has launched initiatives to ensure cleaner air in its cities.[9] A National Air Quality Index has also been launched by the Government for citizens' awareness regarding

air quality in their vicinity. India remains concerned about the quality of air, and is committed to taking all necessary measures to address this issue. The Supreme Court of India and the National Green Tribunal are also monitoring the issue.

23. In recognition of its commitment to sustainable development, India is working towards moving to cleaner sources of energy for its developmental activities. Continuous efforts are being made to provide affordable and clean energy including through targeted schemes[10] and separate budgetary allocations.[11] India has been focusing on renewable energy technology including nuclear energy.

24. In compliance with its obligations under the UNFCCC, India launched the Climate Change Action Programme, 2014 which aims to create and strengthen the scientific and analytical capacity for assessment of climate change and provide a framework for implementation of the National & State Action Plans on Climate Change. India has already submitted two national communications to UNFCCC providing details of its compliance with the Convention.

25. Recognizing that implementation of environmental related norms requires improvement, India continues to work towards their effective enforcement.

Human rights and counter-terrorism

1. Training security personnel on human rights

26. India committed to continue and intensify its efforts towards training and orientation of security and other law enforcement officers towards human rights.

27. India remains committed to instilling human rights values in its security personnel. Indian Security forces receive training in human rights as well as in humane methods of security enforcement through programmes developed by the NHRC through training programmes at police academies, army training institutes, and other such agencies.

28. India remains committed to work with other countries to finalise the Comprehensive Convention on International Terrorism.

2. Other issues

29. Concerns have been raised with regard to Armed Forces Special Powers Act (AFSPA) however, AFSPA is applied only to disturbed areas where the ordinary law and order machinery is deemed insufficient to deal with exigent circumstances like insurgency. Whether or not AFSPA should be repealed or the provision for sanctions should continue, is a matter of on-going and vibrant political debate in the country. While on the one hand in 2015 one state withdrew the application of AFSPA to that state, in another the judiciary has asked the Government to consider imposing AFSPA in parts of that state.[12] A Government appointed committee recommended that there should be no sanction requirement for prosecutions of security personnel for sexual offences.

30. The Supreme Court of India has upheld the constitutionality of AFSPA and has laid down strict guidelines for exercise of powers under AFSPA.[13] Recently, the Court held that use of excessive force or retaliatory force by the armed forces of the Union is not permissible in the course of the discharge of their duty under the Act, and that AFSPA does not allow blanket immunity to perpetrators of unjustified deaths or offences.[14]

31. There is a view that provisions of the Unlawful Activities (Prevention) Act, 1967, which allow the state to detain a person without charge for up to 180 days and limit the power of Courts to grant bail in pending cases, could be misused.[15] These provisions have been enacted in order to deal with the exigent threat of terror and insurgency. Recognizing

that state response to these threats cannot violate human rights standards, India is committed to invoking these powers only in exceptional circumstances.

B. Civil and political rights

Right to life, liberty and security of the person

1. Torture

32. India committed to ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

33. India remains committed to ratifying the Convention. The Law Commission of India is examining the changes required to domestic law prior to ratification. The Government has requested the Law Commission to examine and give a comprehensive report covering all aspects of criminal law so that comprehensive amendments can be made in Indian Penal Code (IPC), Code of Criminal Procedures (CrPC) and Indian Evidence Act, etc. In the meantime, acts of torture remain punishable under various provisions of the Indian Penal Code.[16] The higher judiciary also serves as a bulwark against such violations.

2. Enforced disappearances

34. India pledged to ratify the International Convention for the Protection of All Persons from Enforced Disappearances.

35. India is a signatory to the Convention and is concerned with enforced disappearances. To address this issue, India is cooperating with the Working Group on Enforced or Involuntary Disappearances by reporting facts of cases from time to time. To protect against disappearances from police custody, the NHRC has also issued extensive guidelines on arrest to supplement guidelines issued by the Supreme Court in this regard. Through its training programmes, the NHRC continues to educate police and security personnel to prevent such violations.

3. Right against arbitrary arrest and detention

36. To strengthen the constitutional guarantee against arbitrary arrest and detention, and in order to limit the abuse of the arrest power, the Supreme Court issued guidelines in 2014 directing police officials not to arrest persons for offences carrying sentences of seven years or less, except in exceptional circumstances, and directed judicial magistrates to ensure compliance with arrest norms.[17]

37. The National Human Rights Commission (NHRC) regularly monitors complaints of illegal arrest and detention. Between 2012 and 2016, NHRC registered 2,361 cases of illegal arrest, of which 1,075 were disposed of in this time period. NHRC issued directions in 82 cases and compensation in 22 cases. 5,370 cases of unlawful detention were registered by NHRC in this time period, of which 2,297 were disposed of. NHRC issued directions in 198 cases and recommended monetary relief in 46 cases. In both instances a bulk of the cases were transferred to State Human Rights Commissions.

4. Extra judicial killings

38. India remains cognizant of the human rights implications of extra-judicial killings, and has taken measures towards ensuring accountability for such violations. The Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions recognized in his report on India that there has been a general drop in unlawful killings in the last few years. NHRC has in place a robust monitoring mechanism for cases of extrajudicial executions. In 2014,

the Supreme Court of India issued extensive guidelines for effective and independent investigation of such deaths, including mandatory registration of first information reports in cases of encounter deaths, magisterial inquiry into the case, investigation either by the Crime Investigation Department or another independent agency, and prohibiting out-of-turn promotions or gallantry awards for police officers involved in such killings until the genuineness of the encounter is determined.[18] The judiciary also monitors investigation in specific instances, as for example in the *Extra Judicial Execution Victim Families Association* case, where the Court held that every death caused by armed forces in a disturbed area shall be enquired into by NHRC and CID.[19]

5. *Death penalty*

39. Indian law requires that the death penalty should be imposed only in the "rarest of rare cases."[20] Only where the crime committed is so heinous as to 'shock the conscience of society'. In 2015, the Law Commission of India reported that the rarest of rare doctrine does not provide a clear, consistent, and non-arbitrary standard for determining who should be given the death sentence. The Commission recommended the eventual abolition of the death penalty for all crimes, and as a first step for all crimes except terror and waging war. The Report of the Law Commission of India is under consideration by the Government.

40. Three terrorists were awarded death sentence in India between 2012 and 2015. Subsequent to fair trial under rule of law, all three were convicted of terror related offences that had resulted in loss of lives of innocent people and threatened peace and security of the nation.

41. Cognizant of concerns that long periods of incarceration on death row pending a decision on clemency amounts to torture, the Supreme Court has held that such delay is a ground for commuting the death sentence. The Court has also laid down various guidelines for greater procedural safeguards for persons under sentence of death.[21]

Administration of justice and access to justice

42. India agreed to further promote equal access to justice for all, committed to working towards reducing backlog and delays in the administration of cases in courts, and providing more legal aid to the poor and marginalized.

43. To address judicial delays and backlogs, the Law Commission of India has studied and made recommendations on institutional changes to facilitate timely justice.[22] This report is under active consideration by the Government and the Supreme Court of India. The Government of India is also coordinating with the judiciary to explore other avenues for addressing this concern. One such effort is through the National Mission for Justice Delivery and Legal Reforms which has been launched with the specific aim of reducing delays and arrears in the judicial system. Through its effort, the sanctioned strength of judicial officers increased from 17,715 at the end of 2012 to 21,320 as of June 2016.

44. Access to justice remains a priority for India. Legal Services Authorities across the country provide legal aid to marginalized and vulnerable communities. Between 2012–13 and 2016–17 (up to September, 2016), 6.12 million eligible persons including women, children, persons in custody, persons belonging to Scheduled Castes/Scheduled Tribes and backward classes, have been provided free legal aid. Recently, legal aid has been extended to persons under sentence of death, to enable them to make effective representations for clemency.[23] The Supreme Court has issued directions to legal services authorities for maintaining the quality of legal aid provided by them.[24] In addition, newly set up One-Stop Crisis Centres provide survivors of sexual violence with legal aid.

45. The Government of India has partnered with UNDP to facilitate access to justice for marginalized communities.[25]

46. To address the special legal needs of children, the National Legal Services Authority has formulated the NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015.[26]

47. NALSA has also introduced the NALSA (Legal Services to the Mentally Ill and Mentally Disabled Persons) Scheme, 2015 to provide legal aid and other assistance to mentally ill and mentally disabled persons in their interface with the legal system.

48. India has taken various steps to provide timely justice to persons accused of crime. The Government issued a directive to all state governments to implement Section 436A, Criminal Procedure Code to reduce overcrowding of prisons. It also recommended the constitution of under-trial review committees in every district to periodically assess cases of under-trial prisoners with a view to their early release from incarceration.

49. In order to ensure that conditions of incarceration in prisons across India are consistent with protecting the human rights and dignity of prisoners, regarding foods, clothing, sanitation and health, the Government approved a new Model Prison Manual 2016, which includes gender-specific health measures for women, gender sensitization of the prison staff, provisions for children of women prisoners, and the like. The Manual also provides for inspection of prisons and specifies the rights of prisoners sentenced to death. The Supreme Court has also taken cognizance of conditions of incarceration, and has directed prison officials to ensure that the prisoners live with basic human dignity regarding food, clothing, sanitation, and health.[27]

Fundamental freedoms and participation in public and political life

1. Freedom of speech and expression

50. India accepted a recommendation to ensure safe working environment for journalists.

51. India recognizes the centrality of free speech and expression to its constitutional order. At the same time, in order to protect the country's pluralistic character, its multi-ethnic and multi-religious social fabric, as well as to promote social harmony, a range of laws prohibit speech that has harmful social consequences.[28] Some of these laws, like those criminalizing defamation and sedition, have been upheld by the Supreme Court, which has found them compliant with the right to free speech.[29] The Supreme Court of India did strike down Section 66A of the Information Technology Act for being overbroad and impermissibly impacting the right to free speech and expression.[30]

52. The Press Council of India (PCI) works towards ensuring safety of journalists. It ensures that the freedom of the press is preserved and protected. It has set up a sub-committee and has submitted a report on this issue to the Government, which is currently under consideration. The PCI has issued letter in 2016 to all states/union territories to provide data of cases filed on the issues of threats/attacks/killings of journalists along with the current status of the cases. The Government has also taken cognizance of the need for gender specific measures for the protection of women journalists.

2. Human rights on the internet

53. India recognizes the importance of extending free speech guarantees to activities on the internet. At the same time recognizing the potential for misuse of the internet for inciting violence, spreading rumours and hatred or committing other illegal activities, In order to prevent arbitrary use of this power to block content on the internet, the Supreme Court of India has put in place various adequate procedural safeguards such as the right to appeal a blocking decision, and the requirement for reasons in writing for issuing a blocking order.[31]

3. *Right to privacy and surveillance*

54. Government of India has decided to set up the Centralized Monitoring System to automate the process of Lawful Interception & Monitoring of telecommunications. It is likely to be completely operationalized in 2017.

55. India believes that its surveillance programme furthers its national security interests, and that safeguards in the law, including safe transmission of content, requirement for authorization from senior officials, and the existence of a Review Committee to oversee such authorizations, are sufficient to address concerns regarding privacy and freedom of speech. However, in recognition of the potential of such a system to impinge on the freedom of speech, the Government is in the process of legislating on right to privacy.

4. *Human rights defenders*

56. India is committed to ensuring a safe working environment for people engaged in promoting and protection of human rights. The NHRC also treats the protection of Human Rights Defenders as a priority issue and has set up a platform for reporting rights violations and providing them compensation.

57. At the same time, India believes that the activities of the human rights defenders should be in conformity with the legal framework of the land and the rights guaranteed by our Constitution.

5. *Freedom of religion*

58. India committed to strengthening its efforts to guarantee freedom of religion to all.

59. Recognizing the importance of religious freedom for the safe and secure enjoyment of human rights and life with dignity for all, India remains committed to protecting its secular, multi-ethnic, multi-religious, pluralistic character, and combating instances of religious intolerance, violence and discrimination. The government is duty bound to ensure that there is complete freedom of faith and that everyone has the undeniable right to retain or adopt the religion of his or her choice without coercion. India views anti-conversion laws as important safeguards against coercion and inducement to convert or reconvert from one religion to another in a multi-religious society.

60. To strengthen its response for aiding victims of communal violence, the Government has enhanced compensation to victims of communal violence from Rs. 300,000 to Rs. 500,000. This is in addition to directions from courts, especially the Supreme Court, on rehabilitation packages and other responses for aiding victims of communal violence.

61. The Government of India has issued Communal Harmony Guidelines which lay down Standard Operating Procedures to deal with communal violence.

Combating all forms of human trafficking

62. India committed to reinforcing and accelerating its efforts towards combating human trafficking by implementing monitoring mechanisms to stop trafficking; and towards protecting and rehabilitating victims of trafficking.

63. Through amendments to its criminal laws, India now provides stringent punishment for trafficking.[32]

64. The Government of India has set up 330 Anti Human Trafficking Units in collaboration with UNODC, to provide an effective and coordinated law enforcement response to trafficking. To strengthen implementation of anti-trafficking laws, various training programmes for law enforcement officials as well as judges are conducted routinely.[33] The Supreme Court of India is also seized of the matter, and has directed state

governments to create standard operating procedures for responding to trafficking, particularly of children.[34]

65. India has entered into collaborations with neighbouring countries such as with Bangladesh, for bilateral cooperation for prevention of human trafficking between the countries.

66. In recognition of the special vulnerability of children to trafficking and related violations, the Government of India has launched operations to rescue missing children. Through Operation Smile and Operation Muskaan, over 28,000 children were rescued in 2015–2016 alone. The Khoya Paaya scheme enables citizen participation in tracking missing children.

67. Recognizing that a law enforcement response is only a partial step towards addressing the multiple human rights violations that a trafficked person suffers, India has also put in place various schemes for rehabilitation of survivors of trafficking.[35] Apart from the general schemes that seek to empower vulnerable persons who are most likely to be trafficked, India has put in place various schemes that provide measures tailored to the specific needs of trafficked persons through providing them legal services, shelter and counselling, amongst others.

68. To comprehensively address issues relating to human trafficking, the Government is in advanced consultations with stakeholders on a new Anti-Human Trafficking Bill.

69. India has also been working towards effective implementation of laws prohibiting and abolishing the system of bonded labour. The NHRC has a specific mandate in this regard. To ameliorate the conditions of persons engaged in bonded labour, the Government of India recently revised the Centrally Sponsored Scheme for Rehabilitation of Bonded Labourers. India is also working on strengthening social protections for such persons.

C. Economic, social and cultural rights

Right to social security

70. India agreed to continue its efforts and action in the promotion of social security and labour policy. It also agreed to further continue its efforts to spread the model of rural growth in the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA).

71. The Employees' Provident Fund (EPF) Scheme and the Employees State Insurance (ESI) Scheme continue to be the two major social security schemes for the organized sector. The Prime Minister has launched the 2nd Generation Reforms of the ESI Corporation for better coverage and implementation of the scheme. The EPF Scheme is calibrated regularly with a continuous expansion of benefits, including enhancements of the wage ceiling.

72. Since persons employed in the unorganized sector are most vulnerable to destitution in the absence of social security, this sector has been a priority area for India. The Government of India has launched and strengthened various schemes, most of them under the umbrella of the Unorganized Workers (Social Security) Act, 2008.[36] Under the flagship National Social Assistance Programme (NSAP), five schemes provide monetary and other assistance to the elderly, persons below the poverty line, widows and persons with disabilities.[37] Allocation of funds for the NSAP has increased from Rs. 84.47 billion in 2012–13 to Rs. 106.35 billion (approx.) in 2015. As of date, approximately Rs. 432.95 billion has been allocated for this project, and has reached approximately 144 million beneficiaries. Also, the Pradhan Mantri Atal Pension Yojana was launched in 2015 and is aimed primarily at the unorganized sector, though it is open to all citizens between the ages 18 and 40.[38]

73. In order to ameliorate vulnerabilities due to ill health, under the Rashtriya Swasthya Bima Yojana, smart card based cashless health insurance cover is provided to families below the poverty line, as well as to various categories of workers in the unorganized sector.[39]

74. The Government has launched several schemes to provide insurance protection to all citizens at a nominal sum. The Pradhan Mantri Suraksha Bima Yojna for accident insurance, and the Pradhan Mantri Jeevan Jyoti Bima Yojna for life insurance are two flagship insurance schemes of this nature. The Aam Aadmi Bima Yojana provides life insurance cover to those living below or marginally above the poverty line.[40]

75. The Government remains committed to better implementation of all these schemes in order to progressively provide a stronger social security net to its citizens.

Right to work and to just and favourable conditions of work

76. India committed to promoting the right to equal opportunity for work and at work.

77. India is in the process of consolidating existing labour laws into four codes[41] to ensure transparency and consistency across the board. Amendments are pending in Parliament to bring the existing Factories Act in line with technological advances and the fast-changing global economy. The aim is to achieve occupational safety, prevention of health hazards and diseases, regulatory compliance and transparency in inspection, and encouragement of labour-intensive enterprises.

78. The Government has overhauled the mechanism for evaluating compliance with labour laws. Through a Unified Labour Web Portal (Shram Suvidha Portal) employers now have to file returns detailing their compliance with labour laws. The Government believes the move from an inspection based mechanism to a self-reporting mechanism will streamline compliance with labour laws, and targeted inspection based on objective criteria will better protect rights of employees consistent with the developmental goals of the country.

79. While the Government is cognizant of demands for ratification of ILO Conventions 87 and 98 and recognises that this issue is critical, certain outstanding issues remain, particularly those relating to the scope of rights to be granted to government employees. India is in discussion with ILO as well as other member countries with similar legal norms to resolve these issues.

80. India's flagship employment programme MGNREGA, an entitlement based law covering the entire country. India is making active efforts to address leakages and resources availability problems. Allocation for the MGNREGA has consistently increased each year. The Government is enthused that women availed 57% of the 1.4 billion person days of work pursued under this Act. Apart from the MGNREGA, employment generation through cooperative training programmes has been extremely encouraging.[42]

81. After guaranteeing employment, as the next step, the Prime Minister has called upon the nation to transform India into the "Skill Capital" of the world through the "Skill India Initiative."[43] The youth are the main beneficiaries of the Skill India Initiative campaign. For the marginalised section, the Government launched the Seekho aur Kamao scheme in 2013. The Government of India has recently launched the Pradhan Mantri Kaushal Vikas Yojana which has imparted skills to 19 million youth so far. Through this and other schemes, the Government facilitates generation of, and access to, employment opportunities.[44] Through the National Urban Livelihood Mission, the Government enables economically vulnerable communities to organize themselves into Self Help Groups and to contribute to their skill development to facilitate salaried- or self-employment. Skills training under this mission has been imparted to 1.4 million beneficiaries in 2012–2015.[45]

Economic empowerment of women

82. India has taken various steps to promote equal participation by women in the workforce, to ensure a safe and dignified work environment, and to facilitate overall socio-economic empowerment of women. The Factories Act is being amended to remove discriminatory provisions, and to require employers to provide greater facilities for women employees.[46] In a radical move, India has decided to open combat roles to women in all sections of the military, at par with men.

83. To address low Labour Force Participation Rate and Worker Population Ratio of women as compared to men, India has introduced schemes and programmes to overcome the economic, social, and cultural barriers that hinder women's equal participation in the workforce.[47] For example, the National Rural Livelihoods Mission focuses on generating employment and empowerment opportunities for rural women through Self-Help Groups, and through support for women in agriculture.[48]

84. Schemes have also been put in place to empower women through skills training, educating them about available schemes, and through facilitating women's financial inclusion.[49] For example, to enable access to credit and thereby to income generating opportunities, the Nari Arthik Sashaktikaran Yojana (NASY) provides loans at 4% per annum to women.

85. Recognizing that women bear a large share of familial care giving responsibilities, which often limits their ability to participate equally in the workforce, the Government is committed to facilitating restructuring of workspaces to make them more sensitive to women's social circumstances.[50] The Government has proposed providing extended maternity leave, crèche facilities and day care centers, flexible working hours and safe and dignified work environments to facilitate women's equal access to employment opportunities.[51]

86. Women and other disadvantaged groups form the bulk of domestic workers who belong to the unorganized sector, and are often subject to violence, abuse, and discrimination. Currently, the protection of rights and welfare of domestic workers is the prerogative of each State. However, the Government of India is in discussions with civil society organizations on a proposed national law for the protection, welfare and social security of domestic workers.[52]

Right to an adequate standard of living

1. Poverty eradication

87. India committed to strengthen its poverty alleviation strategies and provide better living conditions for its citizens, including through consolidating programmes and socio-economic measures essential to achieve poverty reduction and social exclusion. In pursuing these policies, India undertook to pay special attention to its rural population, women and children.

88. Poverty eradication is a key element of India's developmental goals. As of 2012, 21% of India's population is under the poverty line. India is intensifying its efforts to align its policies with SDGs by focusing on education, health, gender, skills and employment, energy and infrastructure development, etc.

89. India has put in place a range of schemes and services that empower marginalised communities to overcome poverty, such as Direct Benefit Transfers, and entitlement based schemes that guarantee employment, mobilize the rural poor and caters to occupational aspirations of the rural youth.[53] To circumvent corruption and to ensure that the subsidies and benefits reach citizens directly, the Government has been issuing AADHAR cards.

2. Adequate food

90. India agreed to promote food security, support efforts to raise the standard of nutrition, and specifically to adopt the bill on food security and strengthen the Public Distribution System.

91. India has taken steps to eliminate all forms of malnutrition, by increasing food productivity. To achieve this goal, the National Food Security Act, 2013 aims to provide food and nutritional security to up to 75% of the rural population and 50% of the urban population through improvement in the Public Distribution System. The Act also makes provisions to meet the nutritional requirements of pregnant women, malnourished children, and homeless and destitute persons. This law has now been implemented throughout the country. The National Nutrition Mission, launched in 2014, supplements the law and, in particular, aims to prevent and reduce maternal and child under-nutrition. To ensure better access to food subsidy, the Government is moving towards the digitization of ration cards. The Act also has a strong gender component, in keeping with India's support for gender mainstreaming in food security programmes. The Act provides that the eldest adult woman in a household be designated the head of the household for the purpose of issuing ration cards under the Act.

92. India has put in place the National Intellectual Property Policy, 2016, in recognition of the importance of a public interest oriented approach to intellectual property for enhancing access to healthcare, food security and environmental protection, as well as other sectors of vital socio-economic importance.

93. India continues its efforts to ensure effective implementation of the Mid-day Meal scheme in schools. The Integrated Child Development Scheme (ICDS), which was introduced to ensure better nutrition, health, and overall development of children aged 0–6 years and nutritional and health support to pregnant and lactating mothers, has now been expanded to an additional 200 districts. This scheme has benefitted approximately a 100 million persons of which 18.9 million are pregnant and lactating mothers and the remaining are children under the age of 6. The 12th five year plan aims at strengthening the existing ICDS.[54]

3. Sanitation and safe drinking water

94. India committed to accelerating sanitation coverage and increase access to safe and sustainable drinking water in rural areas.

95. Consistent with the SDGs on sustainable management of water and sanitation for all, India has pledged to achieve access to adequate and equitable sanitation and hygiene for all and to end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations, by 2030.

96. The Swachh Bharat Abhiyan (Clean India Campaign) is a nationwide programme launched in 2014 that aims to facilitate community-led and collective behavioural change in practices of sanitation.[55] One of the goals of the programme is to achieve an Open Defecation Free (ODF) India by 2019. To this end the Government is providing monetary incentives for building individual household latrines as well as for construction of community toilets.[56] The success of the campaign is reflected in that the sanitation coverage in rural areas was 38.76% in 2012–13, which has increased to 55.33% as of September, 2016.[57]

97. In 2013, new guidelines were framed under the National Rural Drinking Water Programme for improving its implementation. India has met the target for halving the number of households without drinking water supply in rural areas.

98. Under the Swachh Vidyalaya Campaign the Government has built separate toilets for boys and girls in every government school.[59]

99. Manual scavenging continues to persist in various part of the country. In order to abolish undignified and unsafe practice, India has enacted the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.[60]

Housing and land

100. To achieve the SDG of Sustainable Cities and Communities, the Government has launched various measures such as the SMART Cities programme for establishing sustainable model cities;[61] the Atal Mission for Rejuvenation and Urban Transformation to provide amenities for improving the quality of life of the urban poor and marginalized; the Pradhan Mantri Gramin Aawas Yojana and Housing for All Mission 2022 to provide better housing facilities; and the Rajiv Awas Yojna to integrate slums into the formal housing system and to generate affordable housing for the urban poor.[62] In addition, the National Urban Livelihood Mission provides permanent shelters for the urban homeless. In rural areas, the MNREGA now includes within its ambit the construction of houses.

101. To ensure inclusive access to housing, the Government also provides preferential allotment in housing facilities under various schemes to marginalized communities such as minorities.[63]

102. To ensure protection of rights of homeless persons, under directions of the Supreme Court the process of physical verification of available shelters for urban homeless persons in each State/UT is underway. The verification process will also check whether the shelters comply with the operational guidelines for the Scheme of Shelters for Urban Homeless under the National Urban Livelihoods Mission (NULM).[64]

103. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 was passed by Parliament to provide a humane, participative, informed and transparent process for land acquisition. The Act also aims to bring about an improvement in the post-acquisition social and economic status of the affected persons.

104. Under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act as amended in 2012, 44,27,613 claims have been filed and 17,46,338 titles have been distributed as of May, 2016. A total of 3,863,025 claims have been disposed of, which is 87.25% of the total claims received.[65]

Right to health

105. India committed to strengthening and further supporting initiatives towards guaranteeing the right to health. In particular, India agreed to take steps towards improving access to health, especially access to maternal health and access to adequate obstetric delivery services and sexual and reproductive health services, including safe abortion and gender-sensitive comprehensive contraceptive services. It agreed to take further steps towards reducing maternal and child mortality. India also committed to taking effective measures to fully implement the National Rural Health Mission.

106. In pursuance of its constitutional obligations as well as the SDGs, India aims to "ensure healthy lives and promote well-being for all at all ages." Internationally, India has promoted Yoga as a system of holistic approaches to health and well-being. India's efforts have been warmly welcomed by the international community by adopting the resolution for celebrating the International Day of Yoga on June 21 every year in the General Assembly in 2014. Within the country, the National Urban Health Mission was launched in 2013 as a sub-mission of the overarching National Health Mission with the National Rural Health

Mission as the other sub-mission. Specific policies provide targeted resources to aid efforts to combat diseases prevalent in India.[47] India is encouraged in its efforts by its successes. The country met its target of 50% reduction in tuberculosis prevalence and resultant mortality. India received polio-free certification in March 2014. In 2013, the WHO found that India has more than halved the number of malaria cases since 2000 from 2 million to 882,000. In February 2016, India launched the National Framework for Malaria Elimination (NFME) 2016-2030 which outlines India's strategy for elimination of the disease by 2030.

107. The Mental Health Policy was launched in 2014 to provide universal access to mental health care by enhancing the understanding of mental health and strengthening leadership in the mental health sector at all levels.[48]

108. Schemes like The Janani Suraksha Yojana provides institutional delivery services to pregnant women who fall below the poverty line, so as to reduce maternal and infant mortality. While monetary assistance to beneficiaries has been streamlined through direct bank transfers, delay in opening bank accounts due to poor banking services has posed difficulties in implementation in some states.[49] India is encouraged in its efforts by the decline in Infant Mortality Rate (IMR) from 58/1000 live births in 2004–05 to 40/1000 live births in 2013. The Neonatal Mortality Rate (NMR) as per SRS 2013 is 28/1000 live births while the Under-five Mortality Rate (U5MR) is 49/1000 live births. The Maternal Mortality Rate (MMR) of India for 2011–13 is 167/100,000 live births as compared to 178 for 2010–12.

109. India has also moved to a new strategic approach, the RMNCH+A (Reproductive, Maternal, Newborn, Child and Adolescent Health) in 2013, to focus its attention on all the life stages including adolescents for targeted health interventions.[50] The National Policy on Children, 2013 also aims at providing equitable access to comprehensive, and essential, preventive, curative and rehabilitative health care, of the highest standard, for all children before, during and after birth, and throughout the period of their growth and development. In December, 2016 the Prime Minister has announced a scheme to provide pregnant women who undergo institutional delivery and vaccination of their children, a financial aid of Rs. 6,000.

110. Recognizing the need for awareness building as a key element in health related interventions, India launched programmes such as the Rashtriya Kishor Swasthya Karyakaram (RKSK) in 2014, which includes the imparting of health education through community based interventions, and the Scheme for Promotion of Menstrual Hygiene among adolescent girls in rural areas. Further, the fourth phase of the National AIDS Control Programme (NACP-IV) was launched in February 2014 which supports the training and capacity building of staff in STI/RTI Clinics (Suraksha clinics), provision of counsellors, availability of free colour-coded standardized STI/RTI drug kits, and the like. Recognizing that Men Having Sex with Men (MSMs) are a High Risk Group for HIV/AIDS, and that due to social and legal stigma such persons may not have adequate access to health services, the National AIDS Control Organization has implemented various schemes to reach out to sexual minorities.[51] India pharma's contribution of 80% of the world's antiretroviral drugs to combat HIV/AIDS is well recognised.

111. Although the overall sex ratio has increased by 7 points to reach 940 in Census 2011 as against 933 in Census 2001, the child sex ratio (0–6 years) has shown a sharp decline from 927 females per thousand males in 2001 to 919 females per 1,000 males in 2011. As a result, the Government has intensified its efforts to effectively implement the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994. The Prime Minister's Beti Bachao Beti Padao campaign was launched in 2014 with the objective of improving the sex ratio and combating female foeticide.

112. In line with the SDG to ensure healthy lives and promote wellbeing for all, at all ages, the Government has taken the initiative of starting the National Initiative on Care for Elderly, under which special attention is given to geriatric care.[70]

113. Through the National Programme for Health Care of the Elderly which is currently implemented in 100 districts of 21 states, India seeks to provide easy access to preventive, promotive, curative and rehabilitative services for the elderly.

Right to education

114. India agreed to further promote children's right to education, especially through the continued implementation of a non-discriminatory and inclusive policy to guarantee quality education to all children. India agreed to reinforce its efforts in providing free and compulsory primary education, and to work towards the smooth implementation of the 2010 Right of Children to Free and Compulsory Education Act. With universalisation of primary education and achievement of gender parity, the Education for all programmes (Sarva Shiksha Abhiyan) is now moving into the second phase with its focus on affordable and quality secondary education. India also agreed to continue with action to include human rights education in school curricula.

115. Education is a fundamental pillar of development in any country. India therefore prioritises inclusive and quality education for all. In pursuance of this, there was a 4.9 per cent increase in the education budget in 2016.

116. Recognizing the need for equitable access to quality education for all sections of the society, India has initiated various measures to raise the literacy standards of excluded and marginalized groups and facilitate their access to education. Government scholarships for schooling and higher education targeted at women, Scheduled Castes, Scheduled Tribes, and other backward classes seek to improve their access to education.[71] Additional scholarships have been introduced for persons with disabilities at all levels of education, including for studies abroad.[72]

117. Padhe Bharat Badhe Bharat, a sub-programme of Sarva Shiksha Abhiyan, has been initiated to improve the quality of primary education.[73]

118. Various schemes and measures promote higher education for marginalized groups, and facilitate their access to advanced educational opportunities. Scholarships like the Swami Vivekananda Single Girl Child Scholarship for Research in Social Sciences and PRAGATI (Providing Assistance for Girls' Advancement in Technical Education Initiative) work towards these goals. The Government has initiated a scheme called UDAAN, to increase the enrolment of women, Scheduled Castes, Scheduled Tribes and minorities in professional education, especially in science and mathematics.[74] Special scholarship schemes have been launched to facilitate access to quality higher education for students from the North Eastern states.

119. To address demands from marginalised sections, the Government has constituted a committee to advise the Government on matters relating to the educational needs and issues faced by Scheduled Caste and Scheduled Tribe students. Universities have also been directed to establish equal opportunity cells to facilitate responsiveness to the needs of disadvantaged groups.

120. India has been prioritizing ICT enabled enhancement of learning opportunities to facilitate access to the highest quality educational resources.[75]

121. India is working towards a policy for meeting the educational needs of children between 0-6 years. The National Early Childhood Care and Education (ECCE) Policy of 2013 permits universal and equitable access for all children in a decentralized manner and ensuring a continuum of ECCE in a life cycle approach.[76]

122. The national curriculum for school education of the National Council of Educational Research and Training (NCERT) has included human rights education component in social science subject. Teachers training programmes has also been prepared under the guidance of NHRC.

D. Rights of specific persons or groups

Women

123. India committed to continuing its efforts and initiatives for eradicating violence and discrimination against women, and for the equality and empowerment of women. Towards this end, India agreed to continue incorporating gender perspectives in its programmes and development plans. India specifically committed to improving measures for preventing violence against women, including sexual violence. India agreed to continue promoting the rights of women in their choice of marriage, and to address the skewed sex ratio, including through more stringent enforcement of the prohibition on pre-natal sex selection.

124. India is undertaking a range of measures to improve the condition of women in the country.[77] To enable the integration of gender perspectives into policy formulation and implementation, and to ensure that women's concerns are given equal weightage in developmental agendas, the Government of India remains committed to its Gender Budgeting Scheme. So far, 56 Ministries/Departments have confirmed setting up this monitoring mechanism.

125. Various forms of violence like acid attacks, stalking, public stripping, voyeurism, etc, have now been incorporated into the penal code as distinct offences.[78] Schemes for compensating and rehabilitating victims and survivors of various forms of violence have been put in place by the state governments.[79] Women's helplines provide immediate and holistic response to those facing violence, including through urgent intervention, as well as facilitating access to health services, counselling and legal aid.

126. India remains committed to combating sexual violence against women and children. In the aftermath of a tragic gang rape in New Delhi in December 2012, the Government of India set up the Justice J. S. Verma Committee to suggest measures for addressing violence against women. Based on the recommendations of this Committee, various law reforms were introduced. Laws relating to sexual violence were comprehensively reviewed and overhauled to recognize the multiple forms and sites of sexual violence. New procedures and evidentiary requirements were also put in place to aid swift and successful prosecutions.

127. India also enacted a new law to deal with sexual violence against children of all genders.[80] This law provides for stringent punishment, special courts, as well as procedural measures to protect the child during investigation and trial.

128. India has enacted a law requiring employers to provide effective redressal to women complaining of sexual harassment, and to take other measures for fostering a gender sensitive, safe working place for women.[81] In addition, sexual harassment has been made a distinct criminal offence.[82]

129. Apart from legislative reforms, the Government has put in place various schemes to strengthen the safety and security of women in the country.[83] The Nirbhaya Fund is one such example. India has also been launching one stop centres to provide single point access to women affected by violence and to provide them medical and police assistance, psycho-social support, legal aid and counselling, and temporary shelter.[84] The Government has recently proposed a National Policy for Women which supports a holistic approach to addressing violence against women.

130. India is building a gender-responsive and sensitized police force through training programmes, performance appraisal, and by encouraging 33% reservations for women in the police force.

Children

131. India agreed to continue its efforts to protect children from exploitation including sexual exploitation, to protect their fundamental rights, dissuade child marriage, continue efforts at rehabilitation of child labourers, prohibit corporal punishment of children, and overall give children the opportunity and assistance to grow up in an environment of freedom and dignity.

132. With over 450 million children, India is home to the largest child population in the world. The National Policy for Children, 2013 places issues relating to children within a rights based approach and recognizes children as individuals with rights and responsibilities appropriate to their age and level of maturity.[87] The National Early Childhood Care and Education Policy, 2013, seeks to ensure a sound foundation for survival, growth, and development of children. Both policies require that children should be protected from all forms of harm and exploitation, and should be provided with a caring and enabling environment. To this end, the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) criminalizes corporal punishment.

133. The JJ Act, 2015 has overhauled the system of administration of justice in relation to children in need of care and protection, as well as children in conflict with the law. The Act has introduced new penalties for the exploitation and abuse of children, as well as measures to prevent their exposure to drugs and intoxicants. While previously, persons below the age of 18 were tried as juveniles for all offences, under the 2015 Act, persons in the 16-18 age group can be tried as adults for heinous crimes. Although this change has been criticised for not recognizing the special circumstances of children in the 16-18 age group, the Government believes that this move is necessary in light of incidents of heinous crimes being committed by persons in that age group.

134. India is encouraged by the reduction in rates of child marriage. India remains committed to working towards the elimination of this harmful practice, through enforcement of the Prohibition of Child Marriage Act as well as through awareness raising.

135. India has recently enacted the Child Labour (Prohibition and Regulation) Amendment Act, 2016.[88] In order to align the child labour policy with the Right to Education Act, the new law prohibits child labour below the age of 14 except after-school work in family enterprises, and permit labour in the age group 14-18 only in non-hazardous industries.

136. The National Child Labour Policy (NCLP) is being implemented in 270 districts of the country to enable rehabilitation of children who have been withdrawn from work. Each district has special schools/training centres which provide bridge education, vocational training, mid-day meal, stipend, health care, and recreation, amongst other facilities. The ultimate aim of the programme is to prepare children for integration into the formal education system.[89]

Persons with disabilities

137. India committed to ensuring better protection for persons with disabilities, and to prioritizing efforts to ensure equal access to education for children with disabilities.

138. 2.21% of the Indian population is disabled. India recognizes the need to take special measures to ensure that persons with disabilities enjoy the full range of human rights and fundamental freedoms, live a life of dignity, free from violence, harassment and

discrimination, want and marginalization. As the first signatory to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, India recognizes the importance of creating an enabling legal and policy environment for making resources, amenities and facilities accessible to persons with disabilities. To this end, India launched the Accessible India Campaign, for achieving universal accessibility, barrier free environments, and a supportive ecosystem for persons with disabilities.[88] The campaign aims to fulfil India's commitments under the Incheon Strategy, as well as facilitate access to rights under the Convention on Rights of Persons with Disabilities to which India is a party. Through amendment to its copyright law, India has facilitated availability of knowledge resources in an accessible format. The National Policy on Universal Electronic Accessibility facilitates equal and unhindered access to electronics and Information and Communication Technologies (ICT) products and services by persons with disabilities.

139. In December, 2016, the Indian Parliament passed a new law on the rights of persons with disabilities. This law aims to facilitate greater access to public spaces, education, employment, and healthcare, and the integration and protection of rights, particularly of persons with mental illness or disability. The Act increases the number of recognised disabilities from 7 to 21, including disability due to acid attacks, thalassemia, haemophilia, muscular dystrophy, learning disabilities and Parkinson's.

140. Recognizing the need for measures targeted at extending the benefit of developmental gains to persons with disabilities, India has also put in place a number of schemes aimed at providing them with better access to education, vocational training, financial assistance, shelter, and overall care and development.[89] To ensure greater access to benefits under these laws and schemes, India is implementing a Unique Identity Card for persons with disabilities.

Older persons

141. India committed to ensure better protection for the elderly.

142. 10% of India's population comprises senior citizens. Recognising that elderly persons face various vulnerabilities due to their age, and consistent with our commitment to the Madrid Plan of Action, we have taken numerous steps to ensure a life of dignity for the elderly. Policies and schemes including the National Policy on Older Persons, 1999, the National Programme for Health Care of Elderly, pension schemes and legal assistance programmes, are being implemented by the Government of India in collaboration with other partners for ensuring that the elderly not only live longer but also lead a secure, dignified and productive life. By revising the Integrated Programme for Older Persons, the Government has provided assistance to various local bodies and NGOs to secure the basic needs of the elderly, productive ageing, intergenerational bonding and awareness building. India is also in the process of revising its National Policy on Older Persons taking into account changing demographic pattern, socio-economic needs, social value system and advancement in the field of science and technology over the last decade. In December, 2016, Prime Minister has announced a new scheme for Senior Citizens guaranteeing 8% interest on fixed deposit of up to Rs. 7.5 lakh with 10 years lock in and monthly payment.

Sexual orientation and gender identity

143. India agreed to study the possibility of eliminating any criminalisation of same sex relations.

144. Section 377, Indian Penal Code, criminalizes homosexuality. In 2009, the Delhi High Court declared this section to be unconstitutional.[90] This decision was reversed by the Supreme Court of India in 2013.[91] However, the Supreme Court in February 2016 agreed to

another hearing on the matter, which is now *subjudice*.[92] In a related judicial development, in 2014, the Supreme Court recognized that sexual orientation and gender identity are integral to a person's personality and are "basic aspects of self-determination, dignity and freedom."[93] The Court stated that discrimination on the basis of sexual orientation violates India's constitutional guarantee of equality.[94]

145. In 2014, the Supreme Court of India recognized that discrimination, violence and prejudice based upon a person's gender identity, as well as the non-recognition of transgendered persons in law, violates India's constitutional commitments to equality, liberty and life with dignity.[95] The Court directed the state to include transgendered persons within the categories eligible for various affirmative action schemes. In 2016, the Transgender Persons (Protection of Rights) Bill, 2016 was introduced in the Lok Sabha. This Bill seeks to protect transgendered persons from violence and discrimination. It also provides for equal opportunities in education, employment and residence. Simultaneously, the Government is working on an Umbrella Scheme for the Welfare of Transgender Persons. India has also taken various steps to make state practices and public spaces safe and inclusive for transgendered persons.[96]

Minorities

146. The Government has undertaken a range of measures pertaining to minority education, skill development, access to credit, infrastructural and social development of regions with high concentration of minority populations, affirmative action measures, etc.[97] The Government earmarks 15% of its outlay on various schemes and programmes for socio-economic empowerment, for minorities. *Khidmat*, a toll-free helpline increases access to information on schemes for minorities.

147. The National and State Commissions for Minorities continue to monitor complaints from minority communities regarding issues of discrimination and disadvantage faced by them.

Scheduled Castes and Scheduled Tribes

148. India has put in place a robust affirmative action programme to secure substantive equality for all. Affirmative action in education and public employment, along with electoral reservations seek to ensure that access to public resources is not confined to any particular group. Recognizing that in the changed economic scenario, private employment is a key source of economic wellbeing, the Government of India has been working with industry associations to voluntarily extend affirmative action in the private sector. As a result of these efforts, many companies have adopted a voluntary code of conduct and are providing persons belonging to Scheduled Castes and Scheduled Tribes with scholarships and vocational training to enhance their employability.[98]

149. India has amended the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 to expand the forms of caste based atrocities recognized under that law and has been notified with effect from 26 January, 2016. The amended Act has also introduced a new chapter on the rights of victims and witnesses. Through the creation of Exclusive Special Courts and Exclusive Special Prosecutors for offences under the Act, India seeks to provide timely and effective response to such atrocities.

150. State governments have also taken various steps to prevent and punish atrocities against scheduled castes and scheduled tribes, including through establishing special crime cells, identifying sensitive areas, and setting up state and district level vigilance and monitoring committees. The National Commission for Scheduled Castes and Scheduled Tribes also monitors cases of atrocities.

E. Coordination with the UN, NHRIs and other stakeholders

151. India committed to continue its cooperation with the UN and other International Organizations, including through sharing good experiences and practices with other countries and extending support in efforts to combat human rights violations. India also agreed to continue its cooperation with Special Procedures and accept requests for visits from Special Rapporteurs. India has pledged to help other countries with capacity building to promote the work of the Human Rights Council.

152. India agreed to further its coordination with national human rights institutions as well as well civil society organizations, and to continue involving civil society in the UPR process.

153. India believes that progress towards realizing its human rights obligations requires constant dialogue, engagement and coordination with various stakeholders, and in particular with other national authorities and human rights institutions. The NHRC serves as the nodal point for such coordination through the Statutory Full Commission comprising the chairs of all national level human rights commissions and institutions.

154. Recognizing that a vibrant civil society keeps the Government accountable for its commitments, and provides crucial feedback for drafting effective policy responses for advancing human rights, India routinely publishes proposed acts, schemes and policies for public comment and discussion, and has done the same with the draft of its National Report for UPR III. The National Policy on Children is an example of a policy drafted through such a wide-spread consultative process.

155. As a proud member of the United Nations, India remains committed to cooperating with international organizations as well as other countries individually in a spirit of reciprocity and comity, to raise the standards of human rights within the country and across the world. India has in place a standing invitation to UN Special Procedures mandate holders to visit the country at a mutually convenient time. Ten mandate holders have visited India since 2000 including the visit by Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context in 2016. Further, another two SRs visits are being scheduled for 2017–18.

Notes

[1] India played an important part in the inter-governmental negotiations towards the finalisation of the 2030 Agenda that seeks to realise human rights for all and to leave no one behind.
[2] Vellore Citizens' Welfare Forum v. Union of India, AIR 1986 SC 2715.
[3] India plans to install 100 GW solar energy out of a total of 175 GW of renewable energy by 2022.
[4] Compensatory Afforestation Fund Management Planning Authority Portal E-Green Watch (An online web portal which seeks to collect and present information to monitor and track how well CAMPA funds are achieving their ends); School Nursery Yojana (aims to brings students closer to nature and increase forest cover by planting trees for a sustainable future); NagarvanUdyanYojana (aims to create and develop at least one city forest in each city); National Afforestry Programme; National Green India Mission (approved as a centrally sponsored scheme in 2015); National Green India Mission and MNREGA Convergence Guidelines 2015 and National Green India Mission and CAMPA Convergence Guidelines 2015 (aim to increase coordination between the rural sector and environment to increase forest cover in an integrated development approach).
[5] National Water Use Efficiency Improvement Support Programme, Guidelines for Improving Use Efficiency in Irrigation Domestic and Industrial Sectors (2014), Under Pradhan MantriKrishiSinchayeeYojana (2015) (aims to achieve convergence of investments in irrigation and expand the cultivatable area to improve water use efficiency and reduce scarcity).
[6] National Action Plan for Conservation of Aquatic Eco-Systems (2013).
[7] Integrated Ganga Conservation Mission – NamamiGenge (2014); Ganga Management Plan (2015); Damn Rehab litation and Improvement Project (2012); Guidelines for Continuation of Scheme on Repairs, Renovation and Restoration of Water Bodies (2013); Guidelines for Implementation for R & D Programme (2013), Jal KrantiAbhiyan (aims to consolidate water conservation and management efforts in the country through grassroot level, Panchayati Raj participation, awareness drives on conservation, security and management of water, and providing Suraj Cards for information on water requirements of various crops).
[8] An additional 16 states have initiated procedures for the enactment of the model bill.
[9] The Delhi State Government has launched the Odd-Even vehicles scheme to ration vehicle usage and thereby reduce vehicular pollution. Delhi also now provides a real-time assessment of ambient air quality.
[10] Perform, Achieve and Trade Scheme (aims to achieve enhanced energy enhancement through trading of energy saving certificates based on reduced carbon emissions); National Smart Grid Mission; Energy Conservation Rules 2012; National Energy Efficient Agriculture Pumps Programme; National Energy Efficient Fan Programme; National Policy for Bio-Fuels (2015); Renewable Energy Global Investment Promotion Meet and Expo; Scheme for Ultra Mega Solar Parks and Solar Projects; Mission Innovation (A global initiative which aims to reinvigorate and accelerate global clean energy innovation with the objective to make clean energy widely affordable, create green jobs).
[11] National Clean Energy Fund.
[12] The Registrar General, HC of Meghalaya v. State of Meghalaya; WP (C) No. 127 of 2015 (Meghalaya High Court).
[13] Naga Peoples' Movement of Human Rights v. Union of India, (1998) 2 SCC 109.
[14] Extra Judicial Execution Victim Families Association (EEVFAM) v. Union of India, 2016, Supreme Court of India.
[15] Section 43D, Unlawful Activities (Prevention) Act, 1967. Similar provisions are found, for example, in the Narcotic Drugs & Psychotropic Substances Act, 1985 in Sections 36A, 42 and the Maharashtra Control of Organised Crime Act, 1999 in Section 21.
[16] Such as those pertaining to voluntarily causing grievous hurt, or causing grievous hurt to extract a confession, etc.
[17] Arnesh Kumar v. State of Bihar AIR 2014 SC 2756.
[18] PUCL v. State of Maharashtra (2014).
[19] Extra Judicial Execution Victim Families Association v. Union of India, W.P. (Cr.) 129 of 2012 (Supreme Court of India, 2016).
[20] Bachan Singh v. Union of India, AIR 1980 SC 898.
[21] Shatrughan Chauhan v. Union of India, (2014) 3 SCC 1, 241.
[22] Law Commission of India (Report No. 245: Arrears and Backlog: Creating additional judicial (wo)

manpower) [7 July 2014].

[23] Shatrughan Chauhan v. Union of India, (2014) 3 SCC 1.

[24] In Re: Inhuman Conditions in 1382 Prisons AIR 2016 SC 993.

[25] As part of this collaboration, legal aid clinics have been set up and paralegal volunteers have been trained to provide legal aid. Legal awareness campaigns are also planned as part of this project across the country.

[26] This scheme aims to provide meaningful, effective, and age-appropriate legal assistance to children in need of care and protection as well as children in conflict with the law, and to strengthen institutional care, counselling and support services to them.

[27] In Re: Inhuman Conditions in 1382 Prisons AIR 2016 SC 993.

[28] Sections 124A, 153A, 153B, 295A, 505, Indian Penal Code 1860; Section 144, Criminal Procedure Code, 1973; Section 5, Official Secrets Act, 1923; Sections 67, 67A, 67B, Information Technology Act, 2000.

[29] Subramniam Swamy v. Union of India, W.P. (Criminal) No. 184 of 2014, which upheld criminalization of defamation.

[30] Shreya Singhal v. Union of India (2013) 12 SCC 73.

[31] Shreya Singhal v. Union of India (2013) 12 SCC 73.

[32] §§ 370 an 370A, Indian Penal Code 2013. These amendments expand the definition of trafficking and related exploitation, in line with India's obligations under the Palermo Protocol.

[33] Specifically, the Training of Trainers (ToTs) programme for law enforcement agencies and Judicial Colloquims for judges and magistrates.

[34] Bachpan Bachao Andolan v. Union of India (2014) 16 SCC 616.

[35] Amongst others, National Legal Services Authority's NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme 2015 is meant to provide legal services to address concerns of victims of trafficking; Swadhar Greh Scheme seeks to provide temporary accommodation to women in difficult circumstances. Through the Ujjwala Scheme, a comprehensive scheme for prevention of trafficking and rescue, rehabilitation and re-integration of victims of trafficking and commercial exploitation, the Government has created capacity to rehabilitate above 8000 women and children. This is in addition to the capacity created by State/Provincial Governments. Annually about 10,000 women availed the facility during the last 2 years.

[36] The following schemes are listed under the Act:

1. Indira Gandhi National Old Age Pension Scheme
2. National Family Benefit Scheme
3. Janani Suraksha Yojana
4. Handloom Weavers' Comprehensive Welfare Scheme
5. Handicraft Artisans' Comprehensive Welfare Scheme
6. National Scheme for Welfare of Fishermen and Training and Extension
7. Janshree Bima Yojana and Aam Admi Bima Yojana
8. Rashtriya Swasthya Bima Yojana

[37] Started in 1995, the NSAP comprises five schemes, namely –

1. The Indira Gandhi National Old Age Pension Scheme (IGNAOPS), wherein assistance is provided to persons aged 60 years or above and belonging to a Below Poverty Line (BPL) family;
2. The National Family Benefit Scheme, wherein upon the death of the primary breadwinner aged 18-59 years, the BPL household is entitled to compensation amount;
3. Indira Gandhi National Widow Pension Scheme (IGNWPS), wherein BPL widows aged 40-79 years receive pension benefits;
4. Indira Gandhi National Disability Pension Scheme (IGNDPS), wherein BPL persons with severe or multiple disabilities and aged 18-79 years receive pension benefits.
5. Annapurna Scheme, wherein the old-aged beneficiary is entitled to 10 kg free food grains per month.

[38] Contributors to this scheme will be eligible for pension on a monthly basis after a certain period of contributions.

[39] Over 37.1 million smart cards had been issued under this scheme as of 30th April 2014. The programme targets covering 70 million households by 2017.

[40] The Scheme covered 45.4 million beneficiaries by the start of 2014–15.

[41] Dealing respectively with Wages, Industrial Relations, Social Security and Welfare, and Safety and

Working Conditions.

[42] National Council for Cooperative Training and the National Centre for Cooperative Education. The Council conducts training programmes as per the needs of cooperative sector. Through such training, participants are equipped with the necessary knowledge, skills and aptitude required to manage the cooperative enterprises. 26934 persons have been the beneficiaries of these training programmes in the year 2016–17 (up to September 2016).

[43] So far over 20 million youth have been trained under this programme.

[44] Deen Dayal Antyodaya Yojana i.e. National Rural Livelihood Mission (NRLM) (covering 864,768 beneficiaries under the 12th 5 Year Plan (up to September, 2016); The Prime Minister's Employment Generation Programme (PMEGP); National Skill Development Fund (NSDF); Sampoorna Gramin Rozgar Yojna (set up with the objective of providing additional wage employment in all rural areas and thereby provide food security and improving nutritional levels. A secondary objective is to create a durable community, social and economic assets and infrastructural developments in rural areas. Between 2012 and 2016, Rs. 1,693.5 billion was spent on this scheme and benefited around 350 million persons).

[45] Many such schemes affirmatively target excluded communities for financial inclusion, promotion of entrepreneurship, and for facilitating other avenues of income generations.

[46] S. 66, S. 22, S. 47 of the Factories (Amendment) Bill, 2014.

[47] Women Cooperative Education Field Projects. Under this, the National Cooperative Union of India has catalyzed the formation of 270 SHGs with 2501 members. Further, 10098 women availed benefits through several income generating activities. In 2016-17 (up to September, 2016) 3831 events were conducted for 44941 participants under this programme).

[48] The mission has covered 32.4 million rural poor households and mobilized around 2.64 million Self Help Groups, since its inception. That India has the largest women self-help group network, and that 80% of micro-credit loans are utilized by women, reflects the success of these schemes.

[49] Support to Training and Employment Programme for Women (STEP) Scheme; National Mission For Empowerment of Women. At its 52nd meeting in 2014, the Governing Body of Rashtriya Mahila Kosh set a target of assisting ten lakh women over the next three years.

[50] Rajiv Gandhi National Creche Scheme for Children of Working Mothers. There are 23,923 creches as of January, 2015.

[51] Draft National Policy for Women, 2016.

[52] Further, the National Skill Development Corporation has set up the Domestic Workers Sector Skill Council in early 2016 to ensure better employment prospects for domestic workers through skills development.

[53] Direct Benefit Transfer; Mahatma Gandhi National Rural Employment Act, 2005 (MNREGA) (In the financial year 2015-16, the Government had made a budgetary provision of Rs 346.99 billion for MGNREGA and in the financial year 2016-17, Rs 385 billion has been allocated for the same. Up to 18th February, 2015, 38 million households have been provided employment. The share of SCs, STs and Women is 22.6 per cent, 16.8 per cent and 55.1 percent respectively. The share of women in total person-days generated is well above the stipulation of 1/3 as per the Act. Now, at least 60 per cent of the work in terms of the cost in the district will be taken up for the activities related to development of land, water and trees). India has set aside funds amounting to Rs. 2.05 billion for Self Help Groups under the National Rural Livelihoods Mission, which was utilized to enter 32,573 villages, in 2013-14. *See also*, Deen Dayal Upadhyaya Grameen Kaushalya Yojana – Skill Development for Inclusive Growth.

[54] In 2012, India launched the ICDS Systems Strengthening and Nutrition Improvement Project (ISSNIP) with the assistance of the World Bank to improve the implementation of ICDS. The Kishori Shakti Yojana years has also been started under ICDS to improve the nutritional status of adolescent girls between the age of 11–18.

[55] For this purpose, the Government has organized awareness campaigns, advertisements and mass cleanliness drives in both rural and urban areas.

[56] As on 30 September, 2016 a total of 90,006 villages and 27 districts of the country have been declared ODF.

[57] 241.51 lakh Individual household latrines (IHHLs) have been constructed from 2.10.2014 to 30.9.2016 under SBM(G). In addition, 15.30 lakh IHHLs have been constructed under MGNREGS since 2.10.2014. 90,006 villages have been declared Open Defecation Free (ODF) as on 30.9.2016.

Also 27 districts have been declared ODF.

[58] 226,000 toilets for boys and 191, 000 toilets for girls have been constructed from 15.8.2014 to 15.8.2015 under the Swachh Vidyalaya Campaign.

[59] This law prohibits the employment of persons as manual scavengers, the manual cleaning of sewers and septic tanks without protective equipment, and the construction of insanitary latrines.

[60] The Smart City Mission was launched on 25 June 2015. Since the launch of the Mission and till September, 2016, total Rs. 47.01 billion has been allocated by Government of India under Smart Cities Mission. So far, 60 cities (20 cities in Round 1 in January, 2016, 13 cities in fast track round in May, 2016 and 27 cities in Round 2 in September, 2016) have been selected for development as Smart Cities under the Mission. Since the launch of the Mission and till date, Rs. 45.72 billion has been released to States/UTs under Smart Cities Mission.

[61] Pradhan Mantri Gramin Aawas Yojana, 2016. The Government proposes to improve the standards of living conditions by providing pucca houses to all rural poor by 2022 and the Ministry of Rural Development has launched schemes to provide assistance to landless poor, and is offering grants to construct houses in hilly areas and plain areas, wherein 15.92 lakh houses out of the targeted 24.81lakh houses were constructed in the year 2013-14. As of date, Rs. 150 billion has been allocated under this scheme, benefiting over 13.35 million beneficiaries between 2012 and 2016; Rajiv Gandhi Grameen Vidyutikaran Yojana. The Rajiv Rinn Yojana scheme; Rajiv Awas Yojana Scheme.

[62] 15% of financial and physical targets under National Urban Livelihoods Mission are earmarked to benefit people below the poverty line from minority communities. Under the Basic Services to the Urban Poor (BSUP)/Integrated Housing & Slum Development Programme (IHSDP) components of JNNURM, 15% of the Central allocation is to be earmarked for the Minority communities. States/UTs were requested to give priority to the cities/slums predominantly inhabited by minority communities (i.e. where the minority population is 25% or more).

[63] E. R. Kumar & Others Vs Union of India & Others, WRIT PETITION (CIVIL) No. 572 of 2003 dated 11/11/2016 (Supreme Court of India).

[64] The decision making power in relation to land acquisition affecting areas covered under the Act vests with the local self-government bodies.

[65] National Road Map for Kala-Azar Elimination, August 2014.

[66] The National Mental Health Programme consists of various district level and tertiary/central level activities in the country. Support has been provided to establish 18 centres of excellence in the field of Mental Health and to strengthen/establish 39 post graduate training departments in mental health specialities. Additionally, the National Mental Health Programme supports activities in 339 districts.

[67] To further its commitment to improving maternal and child health, the Government has increased allocation under the scheme from Rs. 16.06 billion in 2011–12 to Rs. 17.62 billion in 2013–14.

[68] See also, Universal Immunization Programme, Janani Suraksha Yojana, Janani Shishu Suraksha Karyakaram Essential and Emergency Obstetric Care, Navjat Shishu Suraksha Karyakaram, Special Newborn Care Units, Newborn Stabilisation Units, Newborn Care Corners, Home Based Newborn Care, Kangaroo Mother Care, establishment of Nutritional Rehabilitation Centres.
The Rashtriya Bal Swasthya Karyakaram (RBSK) was launched in 2013 to provide strategic interventions and identification of deficiencies, diseases and development delays in children. In furtherance of the Global Every Newborn Action Plan (ENAP), the India Newborn Action Plan has been launched to take forward the Global Strategy for Women's and Children's Health. Mission Indradhanush, launched in 2015, seeks to immunize children against seven life-threatening but vaccine preventable diseases.

[69] Targeted Interventions (TI) have been made by NACO through schemes which involve providing care and counselling through support group meetings where discussions on issues like sexual identity, dealing with harassment and substance abuse, amongst others. A Link Worker Scheme has been introduced in rural areas around a community-centred model which will help build the area's capacity of HIV/AIDS prevention through building awareness, creating a demand for access to health services and reaching out to High Risk Groups.

[70] Central assistance is also being provided to support the Free Drugs and Diagnostics Service Initiative, 2015 and to strengthen ambulatory services, human resources, community participation, primary health care services, family welfare centres, redevelopment of hospitals and dispensaries.

[71] Pre-Matric Scholarship for SC students studying in classes IX and X.

[72] http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/NOS-sudents-disabilities.pdf

[73] For access to resources that facilitate a quality education, the National E-library has been set up with more than 1.5 million titles.

[74] See also, National Fellowship for OBCs; New scheme of Interest Subsidy on educational loan for Overseas studies for OBC students; Dr. Ambedkar Pre-Matric and Post-Matric Scholarship Scheme for the DNT students; Nanaji Deshmukh Scheme of Construction of Hostels for DNT Boys and Girls; Dr. Ambedkar's Post-Matric Scholarship Scheme has been launched for Economically Backward Classes for OBCs.

[75] Initiatives like E-Paathshala and SWAYAM (Study Webs of Active Learning for Young Aspiring Minds) facilitate this goal.

[76] The Law Commission of India recently submitted a report on "Early Childhood Development and Legal Entitlements" which is under consideration by the Government.

[77] To enable greater participation by women in the highest decision making bodies, the Women's Reservation Bill, which aims to introduce 33% reservations in Parliament, was introduced and is currently pending in Parliament.

[78] *See* §§ 326A, 326B, 354A, 354B and so on, Criminal Law (Amendment) Act, 2013.

[79] National Human Rights Commission, Scheme for Relief and Rehabilitation of Victims of Rape, 2005 and Scheme for Relief & Rehabilitation of Offences (by Acids) on Women and Children 2009.

[80] Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

[81] Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013.

[82] § 354A, Indian Penal Code 2013.

[83] Amongst others, the Integrated Computer Aided Dispatch (CAD) is a platform which supports a Geographical Information System (GIS) Based Call Taking which will receive a distress call and dispatch a Global Positioning System (GPS) fitted Police vehicle to the spot of violence. Further, 150 units of Investigating Units on Crime Against Women (IUCAW) have been set up in different States/Union Territories to create a dedicated investigative capacity to fast track investigation.

[84] The Ministry of Women and Child Development formulated the scheme of Setting up One Stop Centre (OSC) to support women affected by violence which is being implemented since 1st April 2015. Under the scheme, it has been envisaged that One Stop Centres would be set up across the country in phased manner. In the first phase, funds were released to 33 States/UTs. Further, 150 additional centres are taken up in second phase during 2016-17 which have been approved for 20 States/UTs. So far 20 centres have become operational.

[85] The objective of the Policy is to enable greater protection, participation and education of children in addition to improving their health and development.

[86] The law stems from the recognition that children constitute a large segment of the Indian population, and that the future social, economic and political development of the country depends on their wellbeing. India is committed to protecting the rights of children, to prevent exploitation in all forms and to create a better world for the next generation.

[87] The number of children mainstreamed into formal education under this scheme increased from 72,976 in 2012–13 to 116,957 in 2014–15. While the expenditure on NCLP has been significantly reduced in recent years, there has been a simultaneous increase in allocation of funds for various education related welfare schemes targeting vulnerable and marginalized communities. This realignment of funds ensures targeted delivery of scheme benefits to such communities.

[88] Accessible India Campaign: Creation of Accessible Environment for Persons with Disabilities (Department of Empowerment of Persons with Disabilities & Ministry of Social Justice and Empowerment, Government of India). India has launched the National Action Plan for Skill Development for 2.5 million persons with disabilities by 2022. Model Building Byelaws have been revised in March 2016 which contain separate provisions for persons with disabilities, older persons and children. These rules are applicable to all buildings and facilities used by the public. India jointed a group of countries in voicing our support for inclusion of the needs of persons with disabilities in the Sendai Framework for Disaster Risk Reduction 2015-2013. As a member of the Asia Pacific Group, India recently hosted Working Group Sessions on Asia Pacific Decade of Persons with Disabilities constituted under the United Nations Economic and Social Commission for Asia and Pacific (UNESCAP) for implementation of the Incheon Strategy- Make the Right Real for Persons with Disabilities.

[89] Construction of Colleges for the Deaf in Five Regions of the Country; Research on Disability Related Technology, Products, and Issues; Central Sector Scheme of "Support for

Establishment/Modernization/Capacity Augmentation of Braille Presses"; Pre-Matric and Post-Matric Scholarships for Students with Disabilities; Rajiv Gandhi National Fellowship for Providing Scholarships to Students with Disabilities to Pursue Programmes; Provision of Travelling Allowance for an Attendant/Escort Accompanying a Government Servant with Disabilities on travel during tour/training; National Overseas Scholarship for Students with Disabilities for Studying Abroad; Aids/devices for Leprosy-Affected Persons; Aids/devices for visually-impaired persons; National Fellowship Scheme for Persons with Disabilities for pursuing M.Phil/Ph.D. courses; Scheme of Financial Assistance for Skill Training of Persons with Disabilities; Scheme of Setting up of State Spinal Injury Centres.

[90] Naz Foundation v. Government of NCT160 DLT 277.

[91] Suresh Kumar Koushal and Anr. v. Naz Foundation and Anr. (2014) 1 SCC 1.

[92] Naz Foundation Trust v. Suresh Kumar Koushal 2016 (2) SCALE 553.

[93] National Legal Services Authority v. Union of India (2014) 5 SCC 438, 20.

[94] *Id* at 55.

[95] National Legal Services Authority v. Union of India (2014) 5 SCC 438.

[96] *For example*, some states like West Bengal and Tamil Nadu have instituted Transgender Development Boards, which have taken steps to introduce transgender-friendly washrooms in universities, supply transgender persons with health insurance and ration cards, and devise transgender-specific pension schemes. The Ministry of Social Justice & Empowerment recently took cognizance of bonded labour practices specific to transgender communities and reached out to help them.

[97] Implementation of Sachar Committee Recommendations (Status Report as on 31st March, 2015).

[98] 935 member companies of the Confederation of India Industry have adopted the Voluntary Code of Conduct. 260,174 candidates from SC/ST community have been trained in vocational skills; 128,362 students from SC/ST community have been provided scholarships and 106 entrepreneurship development training programmes have been held. 478 member companies of the Federation of Indian Chamber of Commerce and Industry have adopted the Voluntary Code of Conduct. They awarded 2,493 scholarships to SC/ST students and trained 261,750 persons belonging to these communities. In addition to this, 38,380 students belonging to the SC/ST communities have been provided free education. 1,038 member companies of the Associated Chamber of Commerce and Industry of India have adopted the Voluntary Code of Conduct. 35,956 candidates have been trained under the Skill Development Programme and 3,387 students belonging to SC/ST communities have been provided scholarships to study in premier institutions. 3,830 students have received entrepreneurship development programmes.

United Nations A/HRC/WG.6/27/IND/2

General Assembly

Distr.: General
22 February 2017

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-seventh session
1-12 May 2017

Compilation on India

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of the information contained in the reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1,2]

2. The United Nations country team indicated that the recommendations contained in the previous reviews[3] regarding the ratification of several international instruments had not been implemented.[4] Such recommendations were reiterated by treaty bodies,[5] and the Special Rapporteur on extrajudicial, summary or arbitrary executions also recommended that India consider ratifying Protocols I and II additional to the Geneva Conventions of 12 August 1949.[6]

3. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context recommended that India submit its report to the Committee on Economic, Social and Cultural Rights; that the recommendation made to it in the previous universal periodic review relating to housing, living conditions and poverty be implemented; and that it use the universal periodic review to commit to implementing the recommendations made to it in the report of the Special Rapporteur.[7]

Please recycle

4. The country team highlighted the standing invitation by India and that three mandate holders had completed their visits during the reporting period. Another 15 other special procedure mandate holders had requested a visit, of which two had been accepted.[8]

5. In 2016, the United Nations High Commissioner for Human Rights (OHCHR) expressed deep regret at, inter alia, the failure of authorities to grant the Human Rights Office access to India-administered Jammu and Kashmir, given the grave concerns about recent allegations of serious human rights violations, including on the excessive use of force.[9]

6. India had contributed annually to OHCHR since 2012.[10]

III. National human rights framework[11]

7. The Special Rapporteur on executions indicated that the situation regarding the use of force in India had been exacerbated by what in effect though not in law could constitute emergency measures. The Armed Forces (Special Powers) Act, enacted in 1958, had regulated instances of the use of special powers by the armed forces in "disturbed areas" of the country (as declared by governors).[12] The Act had provided wide-ranging powers to the armed forces in respect of using lethal force in various instances but had failed to provide safeguards in case of excessive use of such powers.[13] In his follow-up report, the Special Rapporteur recalled that the Supreme Court had upheld the constitutionality of the Act and had provided several conditions on the use of the special powers conferred on the armed forces by the Act. The Government in its comments had strenuously opposed that part of the report.[14] He also noted that a commission appointed by the Supreme Court had stated that it was time to progressively de-notify areas of the State under the Act.[15]

8. The Special Rapporteur indicated that India should repeal or at least radically amend the Armed Forces (Special Powers) Act and the Jammu and Kashmir Armed Forces (Special Powers) Act, with the aim of ensuring that the legislation regarding the use of force by the armed forces provided for the respect of the principles of proportionality and necessity in all instances, as stipulated under international law. He also indicated that it should remove all legal barriers for the criminal prosecution of members of the armed forces.[16] He recommended that, while waiting for the necessary repeal or amendment of the Act, India ensure that the status of "disturbed area" was subjected to regular review and that a justified decision was made on its further extension. He noted information received that the states of the North-East and Jammu and Kashmir regions continued to be declared "disturbed areas" without any deliberation, justification or reference to the scale of insurgency in the respective areas.[17] The country team reported that the Act had been withdrawn from Tripura in 2015, but continued to be in operation in Jammu and Kashmir and parts of the North-East. It also reported that recommendations for the repeal of the Act had been reiterated by the Justice Verma Committee and Justice Hegde Commission.[18]

9. The Special Rapporteur indicated that India should swiftly enact the Prevention of Torture Bill and ensure its compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[19] According to the country team, the Government had finalized an amended draft of an anti-torture bill that was expected to be soon placed before Parliament.[20]

10. The Special Rapporteur on executions noted that the record of the National Human Rights Commission had included important steps in protecting the right to life, but observed that the Commission's effective functioning had been partially hampered by its mandate.[21] Regarding the functioning of state human rights commissions, he found they inspired little confidence, owing to their lack of independence from the authorities, their limited resources and consequently their limited effectiveness.[22] He indicated that no steps

had been taken to: amend section 19 of the Protection of Human Rights Act to provide the Commission with the express authorization to investigate members of the armed forces for alleged human rights violations;[23] put in place the legal basis to enable the extension of the period of one year under which the Commission could consider cases;[24] and review the independence and functioning of state human rights commissions to ensure compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).[25] The country team reported that, in a recent judgment, the Supreme Court had drawn attention to the lack of resources available to the Commission and the need to strengthen its enforcement value.[26]

11. The Special Rapporteur on violence against women, its causes and consequences referred to reported failures of the thematic National Commission for Women, including by finding that no particular religious group had been targeted during the 2002 Gujarat massacre; by consistently justifying sexual assault on women as a result of "provocative dressing"; and by denying reports of sexual violence by security forces, including in regions governed by the Armed Forces (Special Powers) Acts.[27]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[28]

12. The Special Rapporteur on violence against women reported that the lack of registration and the difficulty in obtaining an identity card had impeded women's participation, including their access to essential services.[29] The Committee on the Elimination of Discrimination against Women was particularly concerned at bureaucratic obstacles and financial barriers preventing women from scheduled castes and scheduled tribes from registering births and obtaining birth certificates for their children.[30] The Office of the United Nations High Commissioner for Refugees (UNHCR) indicated that the new *Aadhaar* biometric identification card, issued by the authorities, was required in order to gain access to services, including education.[31] The country team explained the intentions of the Government to integrate the social protection system and target cash transfers through the *Jan Dhan Yojana* programme to facilitate financial inclusion, resulting in the creation of 250 million bank accounts; the *Aadhaar* card, which was held by about 1 billion Indians and which linked to their bank accounts; and mobile telephone applications linking the *Aadhaar* card to its owner's bank account (approximately 1 billion Indians had mobile telephones).[32]

13. In 2016, the Special Rapporteur on minority issues highlighted that, according to official data, Dalits (referred to as "scheduled castes") constituted more than 201 million people. The figure did not include Dalits who had converted or were born and raised within non-Hindu religious communities, such as the Dalit Muslim and Christian communities.[33] She also reported on the discrimination, exclusion, dehumanization, stigmatization and violence suffered by scheduled castes.[34] The country team pointed out that, according to the National Crime Records Bureau, 47,064 cases of crimes against Dalits had been registered in 2014, up from 39,408 in 2013. Furthermore, according to the National Commission for Scheduled Castes, the highest number of registered cases of crimes against scheduled castes in the period 2013-2015 had been in the states of Uttar Pradesh, Rajasthan and Bihar.[35] The Special Rapporteur on executions noted with concern that the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 had not incorporated Dalit

Muslims and Christians into the definition of scheduled castes and scheduled tribes, and recommended that the legislation be reviewed to extend the definition.[36]

14. The Special Rapporteur on minority issues explained that manual scavenging constituted a caste-designated occupation that was mainly imposed upon Dalits, particularly Dalit women, who represented 95 per cent of manual scavengers. Despite the passing of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act in 2013, the practice reportedly persisted, institutionalized through State practice, with local governments and municipalities employing manual scavengers.[37] The country team referred to reports that as few as 13 per cent of women had benefited under the manual scavengers rehabilitation scheme.[38]

15. In 2016, the Special Rapporteur on housing expressed concern at the legacy of India regarding discrimination against scheduled castes and tribes and so-called "backward" classes, and against women, particularly single and widowed women, and various religious minorities. She noted that the majority of homeless people or those residing in slums with the worst housing conditions were members of those and other vulnerable groups.[39] The country team reported that 54.71 per cent of scheduled caste households were landless in 2013. It referred to information from the post-Sachar Evaluation Committee on the poor living conditions of Muslims in urban areas and the lack of basic services in settlements with high Muslim populations in urban and rural areas.[40] The Special Rapporteur recommended that India enact legislation to curb all forms of de facto housing discrimination against any individual or group, especially religious or ethnic minorities, women, scheduled castes or scheduled tribes, internal migrants or manual scavengers.[41]

16. The Special Rapporteur on violence against women noted that sex workers were exposed to a range of abuse. Many sex workers were forcibly detained and rehabilitated and faced a consistent lack of legal protection. Many faced challenges in gaining access to essential health services, including for treatment for HIV/AIDS and sexually transmitted diseases.[42] She recommended that India review the Immoral Traffic (Prevention) Act 1956, which criminalized sex work.[43]

17. The country team reported on a 2014 landmark judgment of the Supreme Court affirming the equal rights of transgender persons and that, in 2014, the same Court had overturned a 2009 judgment by the Delhi High Court that had decriminalized consensual same-sex relationships between adults.[44] Referring to a recommendation,[45] the Committee on the Elimination of Discrimination against Women urged India to make efforts towards eliminating the criminalization of same-sex relations.[46] The Special Rapporteur on violence against women recommended that India repeal section 377 of the Penal Code.[47]

2. Development, the environment, and business and human rights[48]

18. The country team welcomed the "whole-of-Government" approach to the implementation of the Sustainable Development Goals.[49]

19. While commending the commitment of India to addressing climate change, the country team referred to concerns at the relaxation of norms for environmental impact assessments and application procedures under the Forest Conservation Act.[50]

20. Concerned about the forced displacement of a large number of children and their families and the loss of their ancestral lands owing to manufacturing operations, the Committee on the Rights of the Child recommended that India: establish and implement regulations to ensure that the business sector complied with international and national human rights, labour, environment and other standards; and require that companies undertake assessments of, consultations in relation to and full public disclosure of the environmental, health-related and human rights impacts of their business activities, and reveal their plans to address such impacts.[51]

B. Civil and political rights

1. Right to life, liberty and security of person[52]

21. In 2014, two special procedures mandate holders welcomed a decision by the Supreme Court to commute to life imprisonment the death sentences of 15 individuals and to introduce guidelines safeguarding the rights of people on death row.[53] The Special Rapporteur on executions invited India to consider implementing as a priority the recommendation to review legislation to provide that the death penalty could only be imposed for the most serious crimes.[54]

22. The Special Rapporteur took note of reports regarding deaths resulting from the excessive use of force by security officers with little adherence to the principles of proportionality and necessity as defined under international human rights law standards.[55] He noted that section 46 of the Criminal Procedure Code authorized law enforcement officials to use "all means necessary" to perform an arrest that was forcibly resisted, and recommended that India review the Code and legislation in all states regarding use of force, including the exceptional use of lethal force, by all security officers to ensure compliance with international human rights law principles.[56] He regretted that section 46 had not been reviewed or amended.[57]

23. The Special Rapporteur also took note of reports of "fake encounters", whereby suspected criminals or persons alleged to be terrorists or insurgents had been fatally shot by security officers.[58] He indicated that justice for victims, accountability and punishment of the perpetrators was essential and that specific attention should be given to: challenging the general culture of impunity; eliminating the practice of "fake encounters"; and ensuring that swift, decisive action, with concrete outcomes, was taken in cases of large-scale killings.[59]

24. The Special Rapporteur took note of reports of cases of deaths while in custody and recommended that autopsies be carried out in conformity with international standards and that the families of victims be given full and easy access to autopsy reports, death certificates and other relevant documentation.[60] The Special Rapporteur on violence against women indicated that violence against women in custodial settings remained a concern.[61]

25. Deeply concerned about the reported high level of violence against women in conflict-affected regions, the Committee on the Elimination of Discrimination against Women called upon India to: review promptly the continued application of the Armed Forces (Special Powers) Act and related protocols; amend and/or repeal the Act and protocols in order for sexual violence against women perpetrated by members of the armed forces to be brought under the purview of ordinary criminal law; to enable prosecution in all pending cases; and enforce a code of conduct for members of the armed forces to effectively respect women's rights.[62]

2. Administration of justice, including impunity, and the rule of law[63]

26. The Special Rapporteur on executions indicated that delays in judicial proceedings constituted one of the most serious challenges that India faced and had clear implications for accountability.[64] He recommended that India consider launching a process of reflection on the need to reform its judiciary, with the aim of reducing the length of judicial proceedings and strengthening the independent functioning of the judiciary.[65]

27. The Special Rapporteur was concerned that section 197 of the Criminal Procedure Code required prior sanction from the government concerned before cognizance could be taken of any offence by a public servant for criminal prosecution, effectively rendering a public servant immune from criminal prosecution.[66] He recommended that such legal barriers for the prosecution of public servants be removed and that section 197 of the Criminal Procedure Code be reviewed.[67] He welcomed that an explanation had been added

to the Code to clarify that no prior sanction was necessary for the prosecution of public servants accused of sexual offences, but indicated that for all other crimes the prior sanction provision continued to be a major hurdle for victims in securing remedies.[68]

28. The Special Rapporteur reported that the fight against impunity faced challenges at various stages of the accountability process. He noted numerous allegations that, when reporting a crime, including those related to killings or death threats, security forces often refused to register a first information report. Additionally, Dalits, the representatives of lower castes, tribes and poorer communities and women were particularly exposed to difficulties in registering such reports. Individuals who wished to report violations by security officers faced similar challenges.[69] He recommended that the authorities put in place an independent mechanism to monitor the registration of first information reports and that they punish those law enforcement officials who refused to register them.[70]

29. The country team indicated that the new Juvenile Justice (Care and Protection) Act 2015 allowed juveniles aged 16-18 years to be prosecuted as adults.[71]

3. Fundamental freedoms and the right to participate in public and political life[72]

30. The Special Rapporteur on executions noted that numerous reports concerning major incidents of communal violence had indicated an often wilful failure by State forces to protect citizens.[73] He also noted information that communal violence was often planned in order to target members of a particular group or acquire its property.[74]

31. The country team indicated that incidents of religious minorities being targeted during riots, such as in Muzzafarnagar, particularly prior to elections, needed to be addressed. It also noted that the Prime Minister had condemned incidents of violence stemming from allegations of cow slaughter as attempts to "poison social harmony".[75]

32. The United Nations Educational, Scientific and Cultural Organization (UNESCO) reported that it had recorded 24 killings of journalists. It urged the Government to continue to investigate such cases and to report voluntarily to UNESCO on judicial follow-up measures.[76]

33. The country team reported that several incidents at universities in 2016 had triggered debate on the application of penal provisions relating to "hate speech", "sedition" and the use of section 144 of the Penal Code to prohibit the rights to assemble and to protest. The assassinations of well-known rationalists had added to the concerns about the reduced space for free speech and expression.[77]

34. UNESCO made recommendations, including that India decriminalize defamation and place it within a civil code that was in accordance with international standards,[78] and that it review section 22 (4) of the Right to Information Act 2005 in order to remove unnecessary restrictions for requests related to human rights violations.[79]

35. The Committee on the Elimination of Discrimination against Women urged India to remove restrictions on the work of human rights defenders, not to place them under surveillance and to ensure that women in the north-eastern states participated in peace negotiations and in the prevention, management and resolution of conflicts.[80] The Special Rapporteur on the rights to freedom of peaceful assembly and association expressed concern at the restrictions imposed on human rights organizations and reminded India of its obligation to ensure that all members of civil society, including human rights defenders, were able to carry out their legitimate work in freedom and in a safe and enabling environment without fear of threats or acts of intimidation, harassment or assassination of any sort.[81]

36. In that regard, in 2016, the Special Rapporteur and several other special procedure mandate holders called upon India to repeal the Foreign Contribution Regulation Act,

which had been increasingly used to obstruct civil society's access to foreign funding, and had failed to comply with international human rights norms and standards. The experts noted that many civil society organizations depended on being accredited under the Act in order to receive foreign funding. However, the broad and vague terms contained in the Act, such as "political nature", "economic interest of the State" or "public interest", did not conform to its prescribed aim, and were not proportionate responses to the purported goal of the restriction.[82]

37. The Committee on the Elimination of Discrimination against Women reiterated the recommendation that India enact the Women's Reservations Bill to reserve at least 33 per cent of the seats in the state and central legislative bodies for women candidates.[83]

4. Prohibition of all forms of slavery[84]

38. While acknowledging the measures adopted, the Committee on the Elimination of Discrimination against Women remained concerned at the alarming persistence of internal and cross-border trafficking, the lack of protection and services available to women and girls who were victims of trafficking and sexual exploitation and the lack of efforts to address the root causes.[85] Concerning recommendations on trafficking,[86] UNHCR referred to the draft trafficking of persons (prevention, protection and rehabilitation) bill 2016, which proposed, inter alia, the creation of a special agency to investigate such crimes, as well as special courts and public prosecutors to expedite the prosecution of those found guilty and to hold perpetrators and traffickers accountable.[87]

C. Economic, social and cultural rights

1. Right to an adequate standard of living[88]

39. The Special Rapporteur on housing observed the stark contrast in India between extreme poverty and deprivation on the one hand and extreme wealth on the other hand, and that the gap between them was growing steadily and visibly.[89] The country team referred to the recommendation from the Task Force on Elimination of Poverty in India that a separate committee be constituted to identify those people living below the poverty line.[90]

40. The country team identified the urgent need to establish a social protection floor, and to recognize equal pay for work of equal value and women's unpaid care and domestic work.[91]

41. The country team reported on the National Food Security Act 2013, which provided for subsidized food grains and nutritional support to be given to pregnant and nursing women and children, including through the integrated child development services. It indicated that an efficient and functioning public distribution system was essential, and that the Government was focusing on reforms so that pilferage and inefficiency in the system could be removed.[92]

42. The Committee on the Rights of the Child was concerned by the low number of people with access to safe water, sanitation and hygiene and the widespread practice of open defecation and its negative impact on health, specifically child deaths from diarrhoea.[93] The country team reported the government target to make India free from open defecation by 2019, despite the fact that it was still a reality for 564 million people. It indicated that reducing the high bacteriological contamination of water sources, especially in rural areas, was a critical challenge.[94]

43. The Special Rapporteur on housing noted that India had the largest number of urban poor and landless people in the world. She praised the "Housing for All" scheme and stated that the important steps taken could result in the realization of the right to adequate housing

for hundreds of millions of vulnerable people. She recommended that the central Government and state governments deal with homelessness as an urgent priority, with a view to eliminating it by 2030, in keeping with target 11.1 of the Sustainable Development Goals, and that the structural causes of homelessness in urban and rural India be identified, including in relation to access to land and housing, affordability and the lack of specific measures in favour of people without an income.[95]

2. Right to health[96]

44. The country team welcomed the draft national health policy (2016) aimed at doubling government expenditure on health to 2.5 per cent of gross domestic product by 2020, and the new health insurance scheme for families living below the poverty line. However, it indicated that the public sector only provided about 30 per cent of all health services, and that vast inequalities persisted in gaining access to health services across different regions and social groups, while high out-of-pocket expenditure on health care had pushed about 63 million people into poverty.[97]

45. The country team took note of the "Delhi Declaration", signed by 20 countries in 2015, which called for accelerated progress towards ending preventable child and maternal deaths.[98] Treaty bodies commented on the high rates of neonatal mortality and maternal mortality.[99] The Committee on the Rights of the Child reported that the high levels of stunting, acute malnutrition and underweight children were closely linked to maternal undernutrition, anaemia and inadequate feeding practices. It recommended that India ensure the effective implementation of the National Food Security Act 2013 and promote breastfeeding and micronutrient interventions for mothers.[100]

46. In 2015, several special procedure mandate holders reported on the practice of coerced, unsafe and unethical female sterilization in Government-sponsored sterilization camps. In November 2014, sterilizations performed in Chhattisgarh had resulted in the deaths of 13 women and critical injuries to many others. Similar incidents had occurred since then, notably in Uttar Pradesh, Jharkhand and Madhya Pradesh.[101] The country team highlighted the fact that a judgment by the Supreme Court to put an end to sterilization camps was an opportunity to bring about far-reaching changes in the quality of contraceptive services.[102]

47. The country team referred to the 2014 launch of the National Adolescent Health Strategy and noted that its implementation needed to be strengthened.[103] The Committee on the Rights of the Child recommended that sexual and reproductive health education be made part of the mandatory school curriculum and be aimed at adolescent girls and boys; and that measures be taken to raise awareness of and foster responsible parenthood and sexual behaviour, with particular focus on boys and men.[104]

3. Right to education[105]

48. The country team indicated that, at 3.9 per cent of gross domestic product, the amount that India spent on education was the lowest among all the BRICS countries (Brazil, Russian Federation, India, China and South Africa), and that the quality of education in rural areas was an issue.[106] Estimates by the United Nations suggested that 17.8 million children — including 34 per cent of children with disabilities — did not attend school. Dalit, Adivasi and Muslim children and those from female-headed households were particularly vulnerable to educational exclusion. As at 2014, a total of 244,000 schools did not have toilet facilities.[107]

49. The country team referred to the *Beti Bachao Beti Padhao* ("Save the Girl, Educate the Girl") campaign to create a momentum towards ensuring the education and participation of the girl child, and the *Swacch Vidyalaya Abhiyan* ("Clean School

Campaign") launched in 2014.[108] It indicated that more impetus was required to increase girls' secondary education.[109]

50. The Committee on the Elimination of Discrimination against Women expressed its concern about the low retention and completion rates of girls at the secondary level due to early marriage, harmful practices and poverty, especially in rural areas. It reiterated its previous concluding observations and called upon India to: allocate increased resources; ensure that schools were girl-friendly, within a reasonable distance of communities and had supplies of potable water and separate hygienic toilets for girls; and address safety issues for girls in and out of school, including through the use of escorts to schools for girls in unsafe areas and the effective investigation and prosecution of acts of corporal punishment, harassment or gender-based violence against girls at school.[110]

51. The Committee on the Rights of the Child was seriously concerned about attacks on school facilities by non-State armed groups and the occupation of schools by security forces. It urged India to prohibit the occupation of schools by security forces and to rehabilitate and repair damaged schools.[111]

D. Rights of specific persons or groups

1. Women[112]

52. The Committee on the Elimination of Discrimination against Women expressed concern at the persistence of harmful traditional practices, such as the high number of dowry deaths, so-called "honour killings", sex-selective abortion, *sati*, *devadasi* and women accused of witchcraft.[113] The Special Rapporteur on violence against women noted that widows were often denied and dispossessed of property, and that social exclusion had led some to engage in sex work and their children to perform hazardous labour or beg on the streets.[114]

53. The Special Rapporteur noted that customary practices in the family and community pointed to a pattern whereby parents preferred to have sons over daughters. She indicated that research had revealed the declining ratio of girls to boys, and the continuing prevalence of sex-selection practices in some states, despite specific legislation to address the problem.[115] The country team welcomed greater focus on improving gender outcomes. The flagship *Beti Bachao Beti Padhao* campaign had been launched in 2015 with the objective of preventing gender-biased sex selection and addressing the imbalance in the gender ratio. Cash incentive schemes to promote education and encourage people to delay marriage had shown varied results and needed to be complemented.[116]

54. The Special Rapporteur on violence against women noted that early marriages continued to endanger girls' lives.[117] The Committee on the Elimination of Discrimination against Women also expressed concern about the high prevalence of early and forced marriage. It reiterated its recommendations[118] that India withdraw its declarations regarding the Convention and that it review the application of the Special Marriage Act to remove procedural barriers regarding the application for permission to marry and the registration of marriages.[119]

55. The Special Rapporteur indicated that violence against women had become a priority political issue following the brutal gang rape and tragic death of a young student in New Delhi in 2012. As a consequence, the Verma Committee had been established by the Government to review existing normative gaps.[120] Regarding the partial implementation of a noted recommendation,[121] the Rapporteur reported on the Criminal Law (Amendment) Act 2013, which: recognized acid attacks as a new criminal offence; provided for penalties for sexual harassment, assault against or use of criminal force on a woman with the intent to disrobe, voyeurism and stalking; introduced the crime of trafficking; and criminalized rape

and gang rape.[122] UNHCR reported that, in accordance with the Act, the police would also be penalized for failing to register first information reports.[123]

56. The country team reported that marital rape continued to be outside the ambit of criminal law. It indicated that section 357-A of the Code of Criminal Procedure had introduced the concept of reparations in criminal cases, and that all states in India had established victim compensation schemes, although their scope and implementation varied. It noted that the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 had been enacted. The country team reiterated the recommendations for the criminalization of marital rape and "honour crimes".[124]

57. The Special Rapporteur on violence against women reported that the lack of implementation of the Protection of Women from Domestic Violence Act was a concern. The attitudes and prejudices of many village leaders in *Khap Panchayats* (local councils), who acted as informal judicial officers, often led to a pre-arranged settlement between families, thus failing to provide effective redress for victims.[125] The Rapporteur recommended that India implement in full and throughout the country the ban by the Supreme Court on *Khap Panchayats*.[126]

58. The Committee on the Elimination of Discrimination against Women urged India to establish one-stop crisis centres to provide women and girls who were victims of violence and rape with free and immediate access to medical attention, psychological counselling, legal aid, shelter and other support services.[127]

2. Children[128]

59. The Committee on the Rights of the Child recommended that India increase social budget allocations, establish a budgeting process with a child-rights perspective and take all measures necessary to prevent and combat corruption.[129]

60. The country team pointed to the fact that the Protection of Children from Sexual Offences Act 2012, adopted since the previous review, had increased the age of consent to 18 years.[130] The Committee on the Elimination of Discrimination against Women urged India to: ensure that the Act was implemented without exception; void all child marriages automatically; and ensure that the Act applied also to child brides.[131]

61. The Committee on the Rights of the Child noted that one in three rape victims in India was a child.[132] The Committee on the Elimination of Discrimination against Women was concerned about the retention in the Penal Code of an exemption from punishment when a rape was committed by the victim's husband if the wife was over 15 years of age.[133] The Committee on the Rights of the Child urged India to ensure that all forms of sexual abuse of girls under 18 years of age, including marital rape, were fully criminalized.[134]

62. Several treaty bodies encouraged India to raise awareness about the prohibition on child marriage and its spectrum of harms, including reproductive health issues, maternal and infant mortality and violence.[135] The country team indicated that, in 2013, the Government had proposed a national strategy on the elimination of child marriage and an action plan to implement it. However, the measures were pending finalization.[136]

63. The Committee on the Rights of the Child recommended that India establish a national database of all cases of violence against children, and explicitly prohibit all forms of corporal punishment of children under 18 years of age in all settings.[137]

64. The country team referred to the Child Labour (Prohibition and Regulation) Amendment Act 2016, which set at 14 years the general minimum age for employment and raised to 18 years the legal age at which people could engage in hazardous work. Areas of concern included the exception granted to family enterprises, which could increase

impunity and child labour, and the substantial reduction in the list of professions considered to be hazardous.[138]

65. Additional issues raised by the Committee on the Rights of the Child included the sale of children through surrogacy and adoption and the recruitment or use of children by non-State armed groups.[139]

3. Persons with disabilities[140]

66. The Committee on the Elimination of Discrimination against Women urged India to enact the Rights of Persons with Disabilities Bill, 2014 without delay and include in it a specific section to protect women and girls with intellectual disabilities from forced sterilization, and to repeal laws so as to prohibit disability-based detention of women, including involuntary hospitalization and forced institutionalization.[141] The country team noted that the Bill was pending with Parliament and supported the undertaking of a comprehensive legislative gap analysis to enable the alignment of legislation with the Convention on the Rights of Persons with Disabilities. It stressed that efforts were required regarding the issuance of disability certificates in order to gain access to entitlements, as only 49.5 per cent of people with disabilities in 2015 had been issued with such a certificate.[142]

4. Minorities and indigenous peoples[143]

67. The Committee on the Elimination of Discrimination against Women called upon India to adopt an integrated policy to enhance the living conditions of women and girls who had survived the Gujarat riots, and to intensify witness protection and security measures. [144]

68. In 2012, the International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations reported that the national tribal policy was under consideration and requested information on the progress made for its development and adoption, including in collaboration and consultation with tribal groups and their representatives.[145]

5. Migrants, refugees and asylum seekers[146]

69. Although the recommendation made in the previous review cycle[147] to accede to the 1951 Convention relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness had not been supported, UNHCR hoped that India could reconsider its position on the matter.[148]

70. The United Nations High Commissioner for Refugees recommended that refugees be issued with *Aadhaar* identification cards to enable them to have access to services on an equal footing to nationals.[149]

6. Stateless persons[150]

71. UNHCR reported, inter alia, that a group of Sri Lankan refugees, the Hill Tamils, were stateless or at risk of becoming stateless.[151]

Notes

[1] Tables on the scope of international obligations and cooperation with international human rights mechanisms and bodies for India will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/INSession27.aspx.

[2] For relevant recommendations, see A/HRC/21/10, paras. 138.1-138.30, 138.32, 138.36-138.38, 138.63-138.70, 138.95, 138.101, 138.112-138.113, 138.121 and 138.128.

[3] For relevant recommendations, see A/HRC/21/10 and Add.1, paras. 138.1 (Spain), 138.3 (United Kingdom of Great Britain and Northern Ireland), 138.4 (United States of America), 138.5 (Iraq), 138.6 (Republic of Korea), 138.7 (Italy), 138.8 (Maldives), 138.10 (Uruguay), 138.12 (Australia), 138.13 (Austria), 138.14 (Slovakia), 138.15 (Botswana), 138.16 (Brazil), 138.17 (Czech Republic), 138.18 (Portugal), 138.19 (Brazil), 138.21 (Czech Republic), 138.23 (Republic of Korea), 138.24 (France), 138.26 (Ghana), 138.28 (Sweden), 138.29 (Indonesia),138.30 (Slovakia), 138.32 (Switzerland), 138.36 (Timor-Leste), 138.37 (Timor-Leste), 138.38 (Costa Rica), 138.95 (France), 138.101 (Portugal), 138.112 (Ireland), 138.128 (Hungary); and A/HRC/8/26 and Add.1, paras. 86.1 (United Kingdom, France, Mexico, Nigeria, Italy, Switzerland and Sweden), 86.6 (Brazil), 86.7 (Brazil, Sweden), 86.9 (Netherlands) and 86.12 (Nigeria).

[4] See country team submission for the universal periodic review of India, para. 5.

[5] See CEDAW/C/IND/CO/4-5, paras. 42 and 47, and CRC/C/IND/CO/3-4, para. 89.

[6] See A/HRC/23/47/Add.1, para. 98.

[7] See A/HRC/34/51/Add.1, para. 85 (o).

[8] See country team submission, para. 13.

[9] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20382&LangID=E.

[10] OHCHR, "Donor profiles", in *OHCHR Report 2015*, p. 108.

[11] For relevant recommendations, see A/HRC/21/10, paras. 138.3-138.4, 138.6, 138.12, 138.24, 138.32-138.36, 138.44-138.45, 138.54-138.60, 138.63-138.64, 138.71, 138.75 and 138.133.

[12] See A/HRC/23/47/Add.1, para. 21. See also A/HRC/29/37/Add.3, para. 15, and A/HRC/23/47/Add.7, para. 1.

[13] See A/HRC/23/47/Add.1, paras. 21-22. See also A/HRC/29/37/Add.3, paras. 15-16, and A/HRC/23/47/Add.7, para. 1.

[14] See A/HRC/29/37/Add.3, para. 16. See also A/HRC/23/47/Add.7, para. 1.

[15] See A/HRC/29/37/Add.3, para. 18. See also A/HRC/23/47/Add.7.

[16] See A/HRC/23/47/Add.1, para. 100.

[17] See A/HRC/29/37/Add.3, para. 19. See also A/HRC/23/47/Add.1, para. 101, and A/HRC/23/47/Add.7.

[18] See country team submission, para. 42.

[19] See A/HRC/23/47/Add.1, para. 99.

[20] See country team submission, para. 5.

[21] See A/HRC/23/47/Add.1, paras. 88-89. See also A/HRC/29/37/Add.3, paras. 56-58.

[22] See A/HRC/23/47/Add.1, para. 90. See also A/HRC/23/47/Add.1, para. 123, and A/HRC/29/37/Add.3, para. 59.

[23] See A/HRC/23/47/Add.1, para. 120, and A/HRC/29/37/Add.3, para. 57.

[24] See A/HRC/23/47/Add.1, para. 121, and A/HRC/29/37/Add.3, para. 58.

[25] See A/HRC/23/47/Add.1, para. 123, and A/HRC/29/37/Add.3, para. 59.

[26] See country team submission, para. 11.

[27] See A/HRC/26/38/Add.1, para. 58. See also para. 78 (n).

[28] For relevant recommendations, see A/HRC/21/10, paras. 138.43, 138.47, 138.53, 138.65, 138.68, 138.71-138.73, 138.75, 138.87, 138.89-138.90, 138.118, 138.131-138.132, 138.162-138.163 and 138.167. See also A/HRC/8/26, paras. 86.5 and 86.13.

[29] See A/HRC/26/38/Add.1, para. 34.

[30] See CEDAW/C/IND/CO/4-5, para. 34.

[31] UNHCR submission for the universal periodic review of Morocco, pp. 2 and 7.

[32] See country team submission, para. 88.

[33] See A/HRC/31/56, para. 33.

[34] Ibid., paras. 22, 29-30, 50, 59, 62, 80, 82, 85 and 93. See also A/HRC/21/42, para. 22, and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19861&LangID=E.

[15] See country team submission, para. 39.
[16] See A/HRC/23/47/Add.1, paras. 80 and 104. See also A/HRC/29/37/Add.3, para. 48.
[17] See A/HRC/31/56, para. 72.
[18] See country team submission, para. 38.
[19] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19861&LangID=E. See also A/HRC/34/51/Add.1, paras. 62-73.
[20] See country team submission, para. 84.
[21] See A/HRC/34/51/Add.1, para. 85 (g).
[22] See A/HRC/26/38/Add.1, para. 20.
[23] Ibid., para. 78 (e).
[24] See country team submission paras. 26 and 28.
[25] For the relevant recommendation, see A/HRC/21/10, para. 138.89 (Argentina).
[26] See CEDAW/C/IND/CO/4-5, para. 11 (i).
[27] See A/HRC/26/38/Add.1, para. 78 (d).
[28] For relevant recommendations, see A/HRC/21/10, paras. 138.51 and 138.168.
[29] See country team submission, para. 90. See also para. 87.
[30] Ibid., para. 92.
[31] See CRC/C/IND/CO/3-4, paras. 29-30.
[32] For relevant recommendations, see A/HRC/21/10, paras. 138.44, 138.79, 138.91-138.101 and 138.119-138.121.
[33] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14205&LangID=E.
[34] See A/HRC/29/37/Add.3, para. 25. See also A/HRC/23/47/Add.1, paras. 106-107, and country team submission, para. 6.
[35] See A/HRC/23/47/Add.1, para. 8. See also A/HRC/29/37/Add.3, para. 10.
[36] See A/HRC/23/47/Add.1, para. 102. See also A/HRC/29/37/Add.3, para. 11.
[37] See A/HRC/29/37/Add.3, para. 11.
[38] See A/HRC/23/47/Add.1, para. 13. See also A/HRC/29/37/Add.3, para. 13.
[39] See A/HRC/23/47/Add.1, para. 94.
[40] See A/HRC/29/37/Add.3, paras. 20 and 22. See also A/HRC/23/47/Add.1, paras. 29-33 and 117.
[41] See A/HRC/26/38/Add.1, para. 24.
[42] See CEDAW/C/IND/CO/4-5, para. 13 (a)-(b) and (d).
[43] For relevant recommendations, see A/HRC/21/10, paras. 138.4, 138.62, 138.117-138.124 and 138.127.
[44] See A/HRC/23/47/Add.1, para. 67.
[45] Ibid., para. 125. See also A/HRC/29/37/Add.3, para. 44.
[46] See A/HRC/29/37/Add.3, para. 39. See also A/HRC/23/47/Add.1, para. 69.
[47] See A/HRC/23/47/Add.1, para. 103.
[48] See A/HRC/29/37/Add.1, para. 39.
[49] See A/HRC/23/47/Add.1, para. 65.
[50] Ibid., para. 110, and A/HRC/29/37/Add.3, para. 14 and appendix. See also A/HRC/31/56, para. 62, A/HRC/26/38/Add.1, paras. 63-65, and CEDAW/C/IND/CO/4-5, paras. 10-11.
[51] See country team submission, para. 22.
[52] For relevant recommendations, see A/HRC/21/10, paras. 138.37, 138.42-138.43, 138.48-138.50, 138.63, 138.67-138.68, 138.72, 138.79, 138.118, 138.121, 138.123-138.127, 138.131 and 138.169.
[53] See A/HRC/29/37/Add.3, para. 28. See also A/HRC/23/47/Add.1, paras. 43-44.
[54] See A/HRC/23/47/Add.1, para. 45.
[55] See country team submission, para. 35.
[56] See UNESCO submission for the universal periodic review of Morocco, paras. 100 and 106.
[57] See country team submission, paras. 52-53.
[58] See UNESCO submission, para. 105.
[59] Ibid., para. 108.
[60] See CEDAW/C/IND/CO/4-5, para. 13 (g) and (h).
[61] See A/HRC/32/36/Add.3, paras. 297-300.
[62] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20112&LangID=E. For a detailed analysis of the Foreign Contribution Regulation Act, see www.ohchr.org/Documents/Issues/FAssociation/InfoNoteIndia.pdf, and

www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20112&LangID=E#sthash.UHK2fbN3.dpuf.

[63] See CEDAW/C/IND/CO/4-5, para. 25. See also country team submission, paras. 19-21 and annex.

[64] For relevant recommendations, see A/HRC/21/10, paras. 138.5, 138.10, 138.26, 138.28, 138.40, 138.107-138.115 and 138.128.

[65] See CEDAW/C/IND/CO/4-5, para. 22. See also country team submission, paras. 19-21 and annex.

[66] For relevant recommendations, see A/HRC/21/10 and Add.1, para. 138.108 (Ukraine) and A/HRC/21/10, para. 138.109 (Belarus).

[67] UNHCR submission, p. 5.

[68] For relevant recommendations, see A/HRC/21/10, paras. 138.51, 138.74, 138.130, 138.134-138.145 and 138.148.

[69] See A/HRC/34/51/Add.1, para. 5.

[70] See country team submission, para. 86.

[71] Ibid., para. 20.

[72] Ibid., para. 81-82.

[73] See CRC/C/IND/CO/3-4, para. 63 (g).

[74] See country team submission, paras. 83 and 85.

[75] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19861&LangID=E and A/HRC/24/31/Add.1, paras. 7 and 85 (b) (i).

[76] For relevant recommendations, see A/HRC/21/10, paras. 138.54, 138.130, 138.135, 138.146-138.159 and 138.168.

[77] See country team submission, paras. 71-72 and 78.

[78] Ibid., para. 76.

[79] See CEDAW/C/IND/CO/4-5, para. 30, and CRC/C/IND/CO/3-4, para. 63.

[80] See CRC/C/IND/CO/3-4, paras. 63-64.

[81] See A/HRC/30/27, case No. IND 3/2015, and A/HRC/31/79, case No. IND 14/2015.

[82] See country team submission, para. 80.

[83] Ibid., para. 75.

[84] See CRC/C/IND/CO/3-4, para. 66.

[85] For relevant recommendations, see A/HRC/21/10, paras. 138.52, 138.54-138.55, 138.104, 138.115, 138.157-138.158 and 138.160-138.166.

[86] See country team submission, paras. 69 and 70.

[87] Ibid., paras. 66 and 68.

[88] Ibid., paras. 64-70.

[89] Ibid., paras. 19, 65 and 68.

[90] See CEDAW/C/IND/CO/4-5, paras. 26-27.

[91] See CRC/C/IND/CO/3-4, paras. 73-74.

[92] For relevant recommendations, see A/HRC/21/10, paras. 138.2, 138.19, 138.21-138.23, 138.31, 138.37-138.38, 138.41-138.42, 138.54, 138.64, 138.68, 138.71-138.72, 138.74-138.77, 138.79-138.88, 138.102, 138.105-138.106, 138.109, 138.130, 138.144 and 138.150-138.155. See also A/HRC/8/26/Add.1, paras. 86.6, 86.11, 86.13 and 86.17.

[93] See CEDAW/C/IND/CO/4-5, para. 20. See also A/HRC/26/38/Add.1, para. 22.

[94] See A/HRC/26/38/Add.1, para. 21.

[95] Ibid., para. 11.

[96] See country team submission, paras. 15-16 and 56.

[97] See A/HRC/26/38/Add.1, para. 13.

[98] See also A/HRC/21/10, para. 138.2 (Sweden), 138.22 (Finland), 138.23 (Republic of Korea) and 138.31 (Slovenia) and A/HRC/8/26, para. 86.17.

[99] See CEDAW/C/IND/CO/4-5, paras. 38-41. See also A/HRC/26/38/Add.1, para. 78 (b).

[100] See A/HRC/26/38/Add.1, para. 49.

[101] For the relevant recommendation, see A/HRC/21/10, para. 138.41 (Canada).

[102] See A/HRC/26/38/Add.1, para. 49. See also UNHCR submission, pp. 2-3.

[103] UNHCR submission, pp. 2-3.

[104] See country team submission, para. 17 and annex. See also CEDAW/C/IND/CO/4-5, para. 11 (c), CEDAW/C/IND/CO/3, para. 23, and A/HRC/26/38/Add.1, para. 79 (c).

[105] See A/HRC/26/38/Add.1, paras. 59 and 63. See also para. 33.

[redacted]

[redacted]

[redacted]

United Nations A/HRC/WG.6/27/IND/3

General Assembly

Distr.: General
27 February 2017

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-seventh session
1–12 May 2017

Summary of Stakeholders' submissions on India*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 72 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. NHRC-India reported on the implementation of all accepted recommendations.[2] Additionally, it recommended[3] ratification of ICPPED and submission of overdue treaty reports, including to the Human Rights Committee.[4]

3. The Bill introduced in Parliament in 2010 to enable ratification of the Convention against Torture[5] lapsed in May 2014, with the Government viewing existing provisions with slight amendments in the Penal Code as sufficient to address torture.[6]

4. Regarding same-sex relations,[7] although the Delhi court had decriminalized same-sex relations, it was overturned at the Apex court, which is again seized of the matter.[8]

* The present document was not edited before being sent to United Nations translation services.

GE.17-01938(E)
1701938

Please recycle

5. On older persons,[9] it was reported that the elderly faced problems of financial security/personal safety, abuse and even abandonment.[10]

6. Concerning freedom of religion[11] and protecting religious minorities,[12] communal violence rose 17 percent in 2015, with 751 incidents recorded across the country as against 644 in 2014. *Prevention of Communal Violence (Access to Justice and Reparations) Bill 2013* is yet to become law.[13] There is a need for federal and state governments to be more vigilant.[14]

7. Regarding the safety of journalists,[15] incidents of violence against journalists have been reported.[16]

8. The legal system[17] continues to be dysfunctional with inordinate delays in both criminal and civil litigation. While the paucity of Judges/Magistrates has often been cited as a prime reason for delays, there appears to be no appetite for reforms in court processes and appointment procedures of Judges and the re-engineering of an archaic system created during colonial rule. Functioning of legal aid authorities at all levels needs to improve to reach the poor/marginalized who suffer long periods of incarceration as undertrials due to inadequate legal assistance in a ponderously slow legal system.[18]

9. Despite the Criminal Law (Amendment) Act 2013 and its section 370 and 370A covering trafficking,[19] trafficking continues with less than effective Anti-trafficking units.[20] Rehabilitation, counselling and services like legal aid are inadequate. Government has been implementing *Ujwala* scheme for prevention, rescue and rehabilitation of trafficking victims with the help of NGOs.[21] Immoral Traffic (Prevention) Act needs to be repealed.[22]

10. Regarding economic and social rights,[23] the agrarian crisis and inadequate Government safety net have driven poor farmers into debt traps resulting in large number of suicides.[24] Funding to a major rural poverty alleviation and employment (MGNREGS) programme has remained static compared to previous years.[25] MGNREGS has provided households with about 50 rather than 100 days employment and many studies pointed to weaknesses like wage payment delays and non-payment of unemployment allowance.[26] Despite measures taken to improve social security, 93 percent of the workforce is in the unorganized sector without social security or a safety net.[27] India enhanced maternity benefits for working women from 12 to 26 weeks.[28]

11. Regarding the right to food,[29] 34 states/union-territories have progressed towards implementation of the National Food Security Act, 2013. Efforts have been made towards strengthening of the public distribution system in accordance with the Act. Identification of beneficiaries is a problem as States use different methodologies leading to confusion and food insecurity.[30]

12. Concerning water and sanitation,[31] despite a national cleanliness mission, open defecation is rampant and quality water is a problem.[32]

13. Regarding health,[33] the Government's share of healthcare expenditure is 1.4 percent of GDP. Health emergencies often push families into poverty.[34] Regarding integrating gender perspective into budgets,[35] there are potential repercussions on maternal and child health and nutrition services with higher budgetary responsibilities shifting from central government to the states.[36]

14. Concerning women and children's health,[37] despite nutrition and vitamin provision programmes for pregnant and nursing mothers, the maternal mortality rate remains high at 167 against a target of 109 by 2015.[38] Despite a recent emphasis on reproductive health under the rural health missions there are close to 46,500 maternal deaths each year and 8% of maternal deaths are attributed to unsafe abortions.[39] The infant mortality rate has fallen but remains high for such states as Madhya Pradesh, Assam, Odisha and Uttar Pradesh.[40]

15. Regarding the skewed sex ratio and prohibition of sex selection,[41] the 2011 census indicates a ratio of 914 girls against the 927 recorded in 2001.[42] The Government initiated the *Beti Bachao Beti Padao* (Save the girl, Educate the girl) campaign to arrest this trend which appears to be yielding positive results.[43]

16. Regarding education,[44] the draft new education policy does not mention human rights education.[45] The 2009 Right to Education Act is being implemented in 25 out of 29 states.[46] Gaps persist in basic infrastructure in schools. Learning outcomes in both government and private schools indicate a dismal picture.[47] Affirmative action in education has resulted in delayed marriages.[48]

17. Concerning recommendations on free choice of marriage and measures to dissuade child marriage,[49] the "Prohibition of Interference with the Freedom of Matrimonial Alliances Bill" to prevent honour killings was supported by several states. However, Government has not proceeded, even with this Bill, which steers clear of suggesting Penal Code amendments for defining honour killings and proposing appropriate punishment. The Bill does not propose amendment to the Special Marriage Act to remove the 30-day waiting period for registering a marriage. India does not have a law on compulsory registration of marriages. Hence, child marriage and forced marriage go on with impunity.[50] Child marriage continues due to ineffective implementation of the law, traditional customs and practices and the absence of a survey to arrive at a baseline to make a meaningful impact in eliminating child marriage.[51]

18. On violence against women and children,[52] the Criminal Law (Amendment) Act 2013 redefined rape and incorporated additional provisions on violence against women along with stringent punishments yet violence against women continue. In 2014 there were 337,922 cases against women of which 36,735 were of rape. The Protection of Children from Sexual Offenses Act, 2012 (POCSO); and Sexual Harassment of Women at Work Act 2013 have been enacted. While the legal regime stands strengthened, allegations of sexual offences against minors have not shown signs of abatement.[53]

19. The amended Juvenile Justice Act 2015 allegedly allows children between 16-18 years to be tried as adults.[54]

20. Regarding recommendations on protection of children, including rehabilitation of child labourers,[55] the National Child Labour Project is continuing across 270 endemic districts in 20 states. However, rehabilitation of released children from labour is highly unsatisfactory with many children returning to work, as their household lacks alternative livelihoods.[56] Despite child protection services and schemes, a large number of children continue to lead lives on streets and without families.[57] Persistent problems regarding children's homes, street children and out of school children require urgent attention.[58]

21. Concerning persons with disabilities,[59] legislation has not been effectively implemented and accessibility and equal opportunity for persons with disabilities is still far from happening. The share of children with disabilities outside of school is high as is illiteracy.[60]

22. Regarding scheduled castes and tribes (SC/ST) and minorities,[61] national data shows that in 2014 47,064 crimes were committed against Scheduled Castes and 11,451 against Scheduled Tribes. Insufficient efforts were made to review related legislation resulting in the non-fructification of the 2015 amendment to the Prevention of Atrocities Act 1989.[62]

23. Regarding new developments, sporadic instances of violence concerning the eating of beef have been reported in different parts of India. The fringe of the right-wing Hindutva Brigade is alleged to be behind such incidents.[63]

24. Reporting that the turmoil in Jammu and Kashmir is in the spotlight, NHRC-India stated that the use of pellets is controversial and has taken up a case on the matter.[64]

III. Information provided by other stakeholders

A. Scope of international obligations[65] and cooperation with international human rights mechanisms and bodies[66]

25. JS27 noted that India had not implemented nearly 20 accepted first and second cycle recommendations[67] for the ratification of CAT and reiterated that recommendation.[68] 18 submissions reiterated about 20 noted recommendations[69] to ratify other treaties to which India is not yet a party.[70]

26. Regarding international cooperation recommendations,[71] JS14 indicated that India last submitted a report to the Human Rights Committee in 1995 and reiterated the requested visit[72] by the Special Rapporteur on Torture, pending since 1993.[73] PVCHR urged India to immediately implement the recommendations of the Special Rapporteur on violence against women following her 2013 mission.[74]

27. JS25 reported that an inclusive civil society consultation for the preparation of UPR remains an illusion.[75] According to JS11, the Government of India has a long record of persecution of human rights defenders. Mr. Khurram Parvez from Jammu and Kashmir was prevented by the Government from travelling to Geneva to attend the 33rd session of the Human Rights Council.[76]

28. KIIR recommended that the Government allow unhindered access to an OHCHR fact-finding mission to Jammu and Kashmir and unrestricted access to ICRC, MSF and UNMOGIP.[77]

B. National human rights framework[78]

29. HRW recommended that India enact the pending Prevention of Torture Bill, after ensuring it conforms to the Convention against Torture and does not include any provisions that would grant officials effective immunity.[79]

30. KSAG and other submissions urged immediate revocation of impunity laws, such as the AFSPA.[80]

31. Regarding recommendations from the first and second cycle,[81] JS14 noted that India has nine national and over 180 state human rights institutions (N/SHRIs).These institutions face systematic impediments in matters related to patterns of appointments, composition, pluralism, transparency, mandate and powers which affect their effective functioning.[82] JS6 pointed out that India did not support the recommendation to implement the 2011 international observations on ensuring high standards and independence of NHRC-India. JS6 commented in detail on those observations, including the non-publication of annual reports for the past four years; and non-use of Commission powers under Section 12 to review laws, particularly an analysis pertaining to the Foreign Contribution Regulation Act (FCRA); with FCRA registrations of around 30,000 organisations being reviewed for renewal this year.[83] JS6 and JS14 made recommendations.[84]

32. JS40 recommended ensuring the effective implementation of UPR recommendations through the establishment of a national mechanism for reporting and follow-up as a permanent governmental mechanism to liaise with relevant ministries and consult with civil society, NHRIs and all relevant stakeholders.[85] OHR recommended that India report on the SDGs when reporting for the UPR.[86]

33. Regarding recommendations on human rights education and training,[87] JS20 referred to government training programmes on women and child rights to law enforcement.[88] JS20

and GOODGroup recommended that India create a national action plan for human rights education that it be created in partnership with students, teachers, college and university faculty and administrators prior to the midterm review.[89]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross cutting issues

Equality and non-discrimination[90]

34. Regarding noted recommendations on birth registration,[91] JS17 reported that universal birth registration should have been achieved by 2010.[92]

35. JS22 reiterated recommendations[93] for an anti-discrimination law tackling all types of discrimination; and enforceable against private enterprises and transnational actors, especially in relation to education, housing and employment.[94]

36. Referring to the SDGs, aiming at leaving no one behind, JS43 pointed to the precarious situation of "invisible" children, especially from nomadic and denotified tribe communities.[95] JS33 highlighted that these communities were notified as criminal during colonial times and the recommendations of the 2008 National Commission for Nomadic and Denotified Communities were not implemented.[96] Linking stereotyping and violence, JS19 reported that after 6 decades of political independence in India, the Kuruvan community is subjected to torture by the Tamil Nadu police in the name of convicting "habitual offenders".[97] JS14 recommended repeal of the 1952 Habitual Offenders Act.[98]

37. HRW reported on a new law to end the degrading and inhuman practice of "manual scavenging",[99] which, JS40 highlighted, particularly affects women from lower castes.[100] HRW pointed to the proposed amendments to the SC/ST Atrocities Act.[101] JS19 noted that, despite protections, atrocities against Dalit communities persist. In 2014, 2333 registered rapes of SC women –an average of 6 per day were reported.[102] AI recommended holding police officials accountable for failing to properly register and investigate complaints of caste-based discrimination and violence.[103]

38. Noting the re-criminalization of homosexuality in 2013, JS21 highlighted abuses against LGBTI persons since India's second cycle review in 2012.[104] JS18 recommended that India repeal Section 377 of the Penal Code.[105]

39. HRW reported that the Supreme Court recently recognized transgender individuals as a third gender and ordered a review of its earlier judgement that upheld a discriminatory colonial-era law criminalizing homosexuality.[106] Nevertheless, JS21 noted that there has been little effort to give effect to one of the decision's key holdings—that transgender persons must be given legal recognition for the self-identified gender.[107] ICJ recommended engaging in meaningful public consultation with members of the transgender community, with a view to substantially revising the Transgender Persons (Protection of Rights) Bill, 2016, to bring it in line with the Court's decision and international human rights law.[108]

Development, environment and business and human rights[109]

40. JS37 referred to more than 20 progressive policy initiatives and measures to implement the 17 SDGs.[110] Concerned that vulnerable groups are unaware of such measures, JS40 recommended[111] designing and implementing programmes that monitor the progress of government initiatives.[112]

41. Reporting on its business and human rights research in Chhattisgarh, Jharkhand and Odisha, AI recommended requiring public and private mining companies to, inter alia, carry out human rights impact assessments as part of due diligence processes.[113] JS44 reported on the Odisha Industrial Security Force Act enacted in 2012 to provide an armed force for industrial undertakings.[114]

42. JS16 highlighted that India ratified the Paris Agreement on climate change in October 2016.[115] Regarding the implementation of SDGs relating to the environment, JS37 recommended: introducing a complete point-to-point segregation of waste programme, while ensuring that rag-pickers are recognised as workers with rights and dignity; and banning all destructive mining, dumping of untreated wastes in rivers and oceans and deforestation.[116]

43. JS1 reported that the implementation of environmental laws is weak due to poor enforcement mechanisms and inadequate accountability and redress opportunities.[117]

2. Civil and Political Rights

Right to life, liberty and security of the person[118]

44. HRW reported that India noted all recommendations[119] on abolishing the death penalty; and that Indian courts have recognized that the death penalty has been imposed disproportionately and in a discriminatory manner against disadvantaged groups.[120] See also comments by JS23.[121] AI recommended restricting the imposition of the death penalty to the "most serious crimes", as a first step towards full abolition.[122] LC specifically recommended repealing the 1985 Act that provides for death penalty for repeat drug offenders.[123]

45. JS14 noted that there were many grave complaints against security forces from conflict areas, particularly Jammu and Kashmir, the north-eastern states and central Indian states, of rape and sexual assaults, enforced disappearances, extrajudicial killings, arbitrary arrests and detention and torture. Complaints of torture and extrajudicial killings have emerged from other regions. Prosecution of police officers and state agents is immensely difficult due to in-built protections in law.[124] HRW stated that security and public officials continue to enjoy effective impunity for serious human rights abuses.[125] JS14 reiterated the recommendations[126] that India repeal AFSPA and other security laws.[127] Pointing to gaps in the criminal code, JS22 indicated that there should be no prior sanction required to prosecute public servants of rape in Jammu and Kashmir.[128] APDP reiterated the recommendation for ratifying ICPPED.[129]

46. PVCHR, JS11 and JS1 reported on the alleged widespread use of torture.[130] AI reported that two-thirds of India's prison population are pre-trial detainees, with Dalits, Adivasis and Muslims being disproportionately represented.[131] JS14 stated that police and prison systems continue to function under laws enacted in the 1800s.[132] HRW recommended that India implement police reform as recommended by the Supreme Court, including the establishment of a complaint mechanism to address police abuse, with JS27 recommending implementation of the Model Police Bill 2015.[133] JS14 recommended that Boards of Visitors are constituted in all jails across states in compliance with the 2011 MHA advisory and remove undue restrictions on access to prisons from the 2015 MHA advisory and ensure legal aid clinics in every prison.[134]

Administration of justice, including impunity, and the rule of law[135]

47. JS11 reported that India's judiciary suffers from a lack of resources. 10 or more years of delay in adjudication is hence the norm. JS11 alleged that, like the judiciary, prosecutors are deeply corrupt and demand bribes for opposing or not opposing bail

applications, to undertake trials and to present evidence in court. There has not been a single study undertaken by the government to assess the efficiency of the prosecutorial office and its accountability.[136]

48. Regarding a recommendation on access to justice,[137] AI reported that inadequate provisions of legal aid continue to contribute to excessive pre-trial detention.[138]

49. JS45 reported that, despite confirmation by the Jammu and Kashmir State Human Rights Commission (defunct since June 2014), and the offer of assistance by the European Parliament in 2008, India has refused to act regarding 7000 reported unmarked graves.[139]

50. SAHRDC recommended that a mandatory right to compensation must be established for the victims of State imposed abuse.[140]

51. CRIN reported that the Juvenile Justice (Care and Protection of Children) Act 2015 reintroduced life imprisonment as a possible sentence, for children who commit serious offences while they are aged 16 or older, across all states and union territories with the exception of Jammu and Kashmir.[141]

Fundamental freedoms and the right to participate in public and political life[142]

52. About eight submissions, including CSW, JC, JS4, JS15, JS24, JS27 and JS28 reported a worsening situation of freedom of religion since the 2012 review.[143] Reference was made to the victims of communal violence in Odisha, particularly Christians still awaiting justice[144] and to the large-scale targeted violence against Muslims in Uttar Pradesh in 2013.[145] JS14 reiterated the recommendation that India enact the Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2013.[146]

53. Several submissions, including JS32 noted the grave insecurities of religious minorities from anti-conversion laws,[147] "Ghar-wapsis" (where converts from Hinduism are forcibly converted back to Hinduism),[148] and the harsher beef ban law enacted after 2014.[149] Several submissions reported on training by armed militias of right-wing organisations accentuating threats to religious minorities.[150]

54. Concerning the recommendation on safety of journalists,[151] JS31 reported that the period under review has seen a rise in attacks on dissent and press freedom with 21 cases of persecution of writers and journalists recorded in 2015 and 26 cases between January-June 2016; and that the growing prominence of nationalist rhetoric prompted a rise in attacks on dissent and press freedom by right-wing and vigilante groups.[152] ICJ reported that the State has used a variety of means, including bringing criminal charges of "sedition" and "defamation" against human rights defenders, NGOs, journalists and others.[153]

55. While reporting on the 2015 Supreme Court judgement in favour of upholding and advancing the free expression rights of Indian citizens online, Access-Now and JS3 highlighted the increased use of internet shutdowns since 2015.[154]

56. Regarding recommendations on protecting human rights defenders,[155] JS38 stated that the Government had not fully implemented any of them and no human rights defenders law was passed. JS38 referred to a disturbing new trend of targeting human rights defenders making use of the Right to Information Act.[156] AI referred to media reports in 2014 that a classified document prepared by India's Intelligence Bureau had described a number of foreign-funded NGOs as "negatively impacting economic development".[157] About fifteen submissions referred to restrictions affecting civil society, with ICJ reporting that the Government, using the FCRA cancelled the registration of about 4000 groups in 2012 and 10,000 groups in 2015. FCRA had been used to disproportionately target and harass NGOs and activists critical of governmental priorities and policies, including Greenpeace, Lawyers Collective, and Sabrang Trust.[158]

Prohibition of all forms of slavery[159]

57. JS30 described the various forms of slavery, including the widespread abuse of women domestic workers,[160] with JS34 highlighting the vicious cycle of inter-state trafficked migration of labour called "dadan".[161] JS14 recommended that India ratify ILO Convention 189, and ensure minimum wages, fair work conditions, and protection from all forms of abuse for domestic workers.[162]

58. JS30 highlighted the Government's introduced Central Sector Scheme for the rehabilitation of bonded labourers, which significantly increases the rehabilitation payment for released bonded labourers. However, released bonded labourers are only able to access the full amount upon a court conviction for bonded labour of the perpetrator, which is problematic.[163] JS34 recommended delinking rehabilitation of freed bonded labourers with punishment of offenders, in consultation with NHRC-India and other stakeholders.[164]

59. JS8 reported that one out of every seven workers in India's unorganised sector is a tea plantation worker, with more than 50% of these workers being women. Ongoing labour rights violations in the Assam tea industry have perpetuated a cycle of generational servitude and slavery on the tea plantations.[165]

60. Regarding recommendations addressing trafficking,[166] JS17 stated that inclusion of Section 370 in the Indian Penal Code expanded the definition of human trafficking in keeping with the Palermo Protocol.[167] JS18, JS9 and CREA reported on violations and stigma faced by sex workers, with JS18 recommending decriminalization of adult consensual commercial sex work by repealing the Immoral Traffic (Prevention) Act, 1956.[168]

Right to privacy

61. Regarding a new development, JS31 understands that a privacy bill is currently being drafted, though there is concern that law enforcement agencies are seeking exemptions placing its scope and effectiveness under question.[169] Internet-D-P recommended passing a law providing strong protections of the right to privacy.[170] JS35 recommended adopting and enforcing a comprehensive data protection legal framework that meets international standards.[171]

3. Economic, Social and Cultural Rights

Right to work and to just and favourable conditions of work[172]

62. JS22 recommended that India ensure frontline workers for social justice programmes have secure employment and minimum wages with social security.[173]

Right to an adequate standard of living[174]

63. Concerning the implementation of India's commitment to address socio-economic inequities between the rich and poor,[175] JS33 reported that wealth is in the hands of a few, taxation is not in line with growth and social sector spending has seen a decline.[176]

64. Despite accepting two recommendations to promote food security and strengthen the Public Distribution System system,[177] JS14 noted that India tops the world hunger list. JS14 recommended that India ensure conformity of the National Food Security Act, (NFSA) 2013 with India's human rights obligations and expand NFSA's ambit.[178]

65. JS16 reported that rural landlessness, agrarian distress, forced migration, and farmer suicides as a result of increased indebtedness and impoverishment are on the rise.[179] Regarding housing recommendations,[180] JS16 reported that India records the world's largest number of homeless persons, urban and rural poor, and landless households. Despite

commitments to provide "Housing for All" by 2022, India's paradigm of economic growth promotes homelessness, forced evictions, land grabbing/alienation and displacement.[181] Several submissions reported on violations of housing and land rights.[182] Concerning SDG11,[183] JS16 recommended that 'smart cities' do not promote evictions/segregation/forced relocation.[184] JS14 recommended that India promulgate a national right to housing law, which commits to ending homelessness, evictions, segregation and ghettoization; implement progressive laws and ensure policies/schemes adopt the human rights framework; and promulgate a national land reform act, ensuring land to the landless, especially SC/ST and women; and promulgate a right to homestead law.[185]

Right to health[186]

66. JS14 recommended increasing the public health budget to 5% of GDP with substantial investment in primary healthcare; and institutionalize National Health Policy based on principles of Comprehensive Primary Health Care.[187] LC reported on an urgent need for a rights-based approach to tackling Hepatitis C virus and tuberculosis.[188]

67. JS10 reported on contradictions. Most women still do not know that abortion is legal, since the 1971 Medical Termination of Pregnancy Act. However, abortion arising from sex selection is illegal and the Penal Code still criminalizes abortion. Coercive measures such as the two-child norm (by which those with more than two children are excluded from elections, jobs and welfare benefits), continue to operate. Female sterilization accounts for 72% of contraceptive use in India. It is performed under extremely hazardous conditions and leads to human rights violations.[189] JS36 recommended implementation of the Supreme Court's orders, including discontinuing sterilization camps within three years.[190]

68. JS26 and CREA pointed to the importance of implementing health recommendations[191] or SDG3[192] for young people.[193] With over 250 million adolescents in India, JS26 called for: reproductive and sexual health education to be provided at all locations for adolescents and young people; strict enforcement of legislation to prevent early marriage; and accessibility of contraceptives to young couples to delay pregnancy.[194]

Right to education[195]

69. JS22 and JS39[196] analysed the implementation of recommendations on education[197] or SDG4. JS22 reported that resource allocation to education in the last four years has seen a consistent reduction to 0.48% of GDP in 2016. Key features of the Right to Education Act (RTE) have not been implemented, and are being withdrawn, without acknowledging or tackling causes of implementation failure from infrastructure gaps. Affirmative action to secure inclusion of children from marginalized groups into public or private educational institutions has remained unsatisfactory as the policy fails to overcome social and political barriers to inclusion. The resource gap in secondary education deprives adolescents from marginalized communities access and opportunities after primary education (6-14 years), on account of high costs of private education, pushing them into labour markets and unpaid household work.[198] JS17 noted that India has not yet endorsed the "Safe School Declaration" and JS2 called for the Declaration to be respected.[199] JS22 recommended aligning the Bill on national policy on education to the 1986 policy's principles with JS39 calling for the alignment of national plans with SDG4.[200] CCL-NLSIU recommended that India extend the scope of RTE Act from pre-primary to 18 years.[201]

4. Rights of specific persons or groups

Women[202]

70. Regarding recommendations on skewed sex-ratio,[203] JS12 reported that India had failed to take effective measures to combat female foeticide since the last UPR. JS12 recommended the launching of pilot schemes on the implementation of the Preconception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act in targeted districts and called for a central nodal agency to combat female foeticide – leading to increased accountability, incentivised schemes for girl child and mandatory birth registration focusing on girl child.[204]

71. JS1 noted that poverty and food insecurity are intrinsically linked and women and girls tend to be more undernourished.[205] JS42 recommended ensuring women's access to nutritious food, particularly during adolescence, pregnancy and post-partum period.[206]

72. JS3 expressed concern that, increasingly, local governance bodies are barring women from using mobile phones and internet in rural areas.[207]

73. JS33 recommended reforming muslim personal law through abolition of "triple" divorce and polygamy.[208]

74. AI stated that over 327,000 crimes of violence against women, including over 34,000 cases of rape, were reported in 2015.[209] HRW reported that following outrage over a brutal gang rape and murder in Delhi, the Government amended its criminal laws with a view to strengthening the criminal justice response to sexual assault.[210] AI recommended that India introduce laws to specifically prevent and prosecute "honour" killings and prosecute unelected village councils that order or endorse violence against Dalit or Adivasi women.[211]

Children[212]

75. JS17 recommended the development of national standards consistent with the CRC on public budgeting for children's rights.[213]

76. Contradictions between related laws were highlighted with JS10 reporting that under the POCSO Act 2012, sexual relations with a girl under 18 is considered rape,[214] and AI reporting that an exception to Section 375 in the Penal Code does not find a man guilty to having sexual intercourse with his 15-year-old wife.[215] JS12 reported that 73.76% of the sanctioned funds for *Beti Bachao Beti Padao* remained unutilized by 11 states during 2014-2015.[216]

77. Regarding recommendations on child labour,[217] JS40 and JS17 noted the amended Child Labour Act in 2016 allows children under the age of 14 to work in "family or family enterprises". Since most family occupations are based on caste with poor families trapped in intergenerational debt bondage, this new law will have adverse effect on the most marginalised and has the potential to increase drop-out rates of children living in rural areas, who are already more disadvantaged in enjoying right to education.[218]

78. JS40 recommended full implementation of the law against corporal punishment.[219]

Persons with disabilities[220]

79. HRW reported that the National Commission for Women took up its first-ever study of the situation of women with psychosocial and intellectual disabilities in government mental health institutions.[221] JS5 recommended that the pending bill on the rights of persons with disabilities be adopted with new sections including on prohibition of sterilization and ending forced institutionalization of women with disabilities.[222]

Minorities and indigenous people[21]

80. JS29 referred to the important work of the Xaxa Committee on the status of Scheduled Tribes and its 2014 report's recommendations.[114] JS33 recommended that India enact the Scheduled Caste and Scheduled Tribe Sub-Plan Bill safeguarding budgets.[115] JS79 called for such plans and policies to be developed in line with India's SDG commitments.[116]

81. JS1 reported that indigenous peoples are increasingly being evicted from their traditional lands by national and multinational corporations with the support of police and state administrations.[117] Several submissions, including JS7, JS13, CS and ZIF reported on one or more issues of: Governors neglecting their constitutional duties[118] and the violation of Constitutional Schedules protecting tribal lands;[119] the violation of forest dwellers' rights through forest compensation actions and the commercial takeover of forests;[120] lack of consent requirements for land acquisition for Coal India's mines under the Coal Bearing Areas (Acquisition and Development) Act;[121] and displacement from dam construction.[122] JS14 recommended ensuring effective implementation of protective legislation, the Panchayats (Extension to Scheduled Areas) Act (PESA) and Forest Rights Act.[123] JS29 reiterated the recommendation for ratification of ILO Convention 169, and called for the adoption of a national tribal policy in line with it.[124]

82. On addressing impunity, JS27 reported that, in 2016, the Supreme Court investigated over 1,500 cases of killings by security forces in Manipur during 1978-2010 and ruled that "the use of excessive force or retaliatory force" was impermissible. JS27 alleged that the Government has yet to implement the Court's orders.[125] JS25 and JS2 called on the Government to seek a political solution to ongoing armed conflict particularly in Manipur.[126]

Migrants, refugees, asylum seekers and internally displaced persons[27]

83. JS41recommended the closure of special camps in Tamil Nadu for Sri Lankan Tamil refugees.[128]

84. JS14 indicated that people living close to international borders, such as the Indo-Bangladeshi border, are subjected to human rights violations by Border Security Forces and face conflict-related displacement.[129] PACTI reported that Parliament in May 2015 adopted the 119th constitutional amendment paving the way for citizenry rights of the "enclave" dwellers at the Indo-Bangladeshi border.[130]

5. Specific regions or territories

85. Several submissions reported on the situation in Jammu and Kashmir,[131] especially the sharp increase in violence in 2016 after Indian security forces killed a suspected militant leader. The state responded to these protests using lethal, excessive and unnecessary force and restricting the freedom of movement, association, and assembly. Over 80 civilians had been killed, and disability caused by the use of pellet guns is widely reported. Reports indicated that security forces attacked ambulances and hospitals.[132] PHR recommended that India immediately halt the use of "pellet guns" for crowd control; properly equip law enforcement with protective gear and training on the use of force and firearms; and ensure access to urgent medical care, protection of medical workers, and non-interference with delivery of medical care.[133]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AccessNow	Access Now, New York, United States of America;
AIW International	AIW International, Geneva, Switzerland;
AI	Amnesty International, London, United Kingdom of Great Britain and Northern Ireland;
APDP	Association of Parents of Disappeared Persons, Srinagar, Jammu and Kashmir, India;
CCL-NLSIU	Centre for Child and the Law, National Law School of India University, New Delhi, India;
CREA	Creating Resources for Empowerment in Action (CREA), New Delhi, India;
CRIN	The Child Rights International Network, London, UK;
CS	Cultural Survival, Cambridge, MA , USA;
CSW	Christian Solidarity Worldwide, New Malden, UK;
EACW	European Association of Jehovah's Christian Witnesses, Kraainem, Belgium;
FFF	Free Freedoms Forum, Kaneohe, USA;
GOOD Group	The Good Group, Honolulu, USA;
HRW	Human Rights Watch, Geneva, Switzerland;
ICJ	International Commission of Jurists, Geneva, Switzerland;
INDIGENOUS	International Network for Diplomacy Indigenous Governance Engaging on Nonviolence Organizing for Understanding & Self-Determination (INDIGENOUS) Kaneohe, USA;
Internet DeP	Internet Democracy Project, New Delhi, India;
JUBILEECAMPAIGN	Jubilee Campaign, FAIRFAX, VA, USA;
KIIR	Kashmir Institute of International Relations, Islamabad, Pakistan;
KSAG	Kashmir Subedars Action Group, Cleveland Heights Ohi, USA;
LC	Lawyers Collective, New Delhi, India;
OHR	Oceanic Human Rights Heroes, Kailua, USA;
PACTI	Programme Against Custodial Torture & Impunity, Kolkata, India;
PHR	Physicians for Human Rights, New York, USA;
PVCHR	Peoples' Vigilance Committee on Human Rights, Varanasi, India;
SAHRDC	South Asian Human Rights Documentation Centre, New Delhi, India;
ZIF	Zo Indigenous Forum, Mizoram, India.

Joint submissions:

JS1	Joint submission 1 submitted by: Eastern Indian Coalition on Human Rights (EICHR), Kolkata, India, on behalf of Bangkar Manabadhikar Suraksha Mancha (MASUM), Human Rights Alert, Dalit Foundation, Sramajibi Swasthya Prakalpa Samity, Anti Ethnical Forum, Jana Swasthya Sanga, Right to Food Campaign (Bihar), DSS, PVCHR, World Women on Disability, Anti-Eviction Forum (Jharkhand), SPAN (West Bengal), and DDSSA.
JS2	Joint submission 2 submitted by: United NGOs Mission Manipur, Manipur, India in cooperation with member Organizations, namely, Council for Anti Poverty Action and Rural Volunteer (CAPARV), Centre for Social Development (CSD), Village Development Organization (VDO), Social Upliftment & Rural Education (SURE), Abundant Life Ministries (ALM), Rural Service Agency (RUSA), Development of Human Potential (DHP), Action for Welfare and Awakening Rural Environment (AWARE), Rural Education and Action for Change Manipur(REACH-M), United Tribal Development Project (UTDP), Christian Social Development Organization (CSDO),

Social Welfare Arts and Culture Assn.
Good Samaritan Foundation (GSF), Evangelical Fellowship Churches (EAC), Joint Action for Relief and Development Association (JARDA), Rural Aid Services (RAS), Integrated Rural Development Agency (IRDA), Socio Economic Development Organisation (SEDO), Centre for Community, Centre for Rural Development and Educational Organisation (CRDEO), Pentei Development Society Tungjoy (PDST), Evangelical Institute for Community & Rural Development (EICRD), Rural Development Association (RDA), Socio Economic & Environment Development Organisation(SEEDO), Integrated Rural Development Welfare Association (IRDWA) and Evangelical Theological Association (TTA);

[illegible] from the coalition on Internet Rights, submitted by: Digital Empowerment Foundation, Internet Democracy Project, Point of View, Nazdeek and Association for Progressive Communications, New Delhi, India;

[illegible] submitted by: Civil Society Coalition For Freedom of Religion & Strengthening Pluralism in India on behalf of: 1) National Council of Churches in India; 2) Council of Baptist Churches in North East India; 3) Malankara Orthodox Syrian Church; 4) Chaldean Syrian Church of the East; 5) Gossner Evangelical Lutheran Church in Chotanagpur; 6) Mennonite Church in India; 7) Baptist Church of Mizoram; 8) Mennonite Brethren Church; 9) Catholic Bishops' Conference of India Office for Dalits and Backward Classes; 10) Lutheran World Service India Trust; 11) Indian Social Institute, New Delhi; 12) Center for Study of Society and Secularism; 13) Association for Protection of Civil Rights in India; 14) Council for Social Justice & Peace; 15) National Confederation of Human Rights Organization's, Goa; 16) Christ Bible College; 17) Odisha Forum for Social Action; 18) People's Alliance for Democracy and Secularism; 19) National Solidarity Forum; 20) United Religious Organization; 21) Tamil Nadu Christian Council; 22) National Dalit Christian Watch, New Delhi; 23) Student Christian Movement of India; 24) Karnataka Christian Council; 25) Center for Social Justice; 26) Justice and Liberty Demand Samiti; 27) All India Secular Forum, Assam Chapter; 28) Chaupori Sahitya Parishad; 29) Chhattisgarh Sangarsh Samiti/Sangarsh Samiti; 30) Presbyterian Church of India; and 31) Union Biblical Seminary, India;

[illegible] submitted by: Women Enabled International, Washington, DC, and input from Women with Disabilities India Network, India;

[illegible] submitted by All India Network of NGOs and Individuals working with National and State Human Rights Institutions (AiNNI), Bangkok, Thailand;

[illegible] submitted by North East Indigenous Peoples Organization (NEIPO), India; Zo Indigenous Forum (ZIF); Naga Peoples Movement for Human Rights (NPMHR); Karbi Human Rights Watch (KHRW); Meghalaya Peoples Human Rights Council (MPHRC); Indigenous Women's Forum of Northeast India (IWFNEI); Zomi Human Rights Foundation (ZHRF);

[illegible] 8 submitted by International Center for Advocates Against Discrimination (ICAAD) (New York, USA); Nazdeek and PAHRA (Promotion and Advancement of Justice, Harmony and Rights of Adivasis), India;

JS9	Joint Submission 9 submitted by SANGRAM, National Network of Sex Workers India endorsed by 80 organizations /individuals, including: 1.National Network of Sex Workers (NNSW), India; 2. Veshya Anyaya Mukti Parishad (VAMP), Sangli, Maharashtra; 3. Sangama, Bangalore, Karnataka; 4. Karnataka Sex Workers Union, (KSWU) Karnataka; 5.Uttara Karnataka Mahila Okkuta, (UKMO) Karnataka; 6. Me and My World, Andhra Pradesh; 7.Vadamalar Federation, Tamil Nadu; 8.Nirangal, Tamil Nadu; 9.Kranti Mahila Sangh, Solapur, Maharasntra; 10.Saheli Sangh, Pune; 11.Kerala Network of Sex Workers (KNSW), Kerala; 12.Muskan, Sangli, Maharashtra; 13.Sampada Grameen Mahila Sanstha (SANGRAM), Maharashtra; 14.Women's Initiatives (WINS), Tirupathi, Andhra Pradesh; 15.South India AIDS Action Project (SIAAP), Tamil Nadu; 16.Centre for Advocacy on Stigma and Marginalisation, Maharashtra;
JS10	Joint Submission 10 submitted on behalf of the Coalition of organizations on sexual and reproductive rights, India by National Alliance on Maternal Health and Human Rights (NAMHHR), Coalition for Maternal-Neonatal Health and Safe Abortion (CommonHealth), Jan Swasthya Abhiyan (People's Health Movement – India);
JS11	Joint Submission 11 submitted by Asian Legal Resource Centre (ALRC) Hong Kong, Special Administrative Region, China and Nervazhi Human Rights Protection Council, Kerala, India;
JS12	Joint Submission 12 submitted by Asian Centre for Human Rights, Plan International -India, Vimochona, Vanishing Girls, Vasavya Mahila Mandali, Breakthrough, Manab Adhikar Suraksha Manch, Gramin Evam Nagar Vikas Parishad, India Alliance for Child Rights, Shikshit Rozgar Kendra Prabandhak Samiti, South India Aids Action Programme, WeCan Women's Coalition Trust, Girls Count, Ma Bhagawati Vikas Sansthan, Control Arms Foundation of India, Aarti for Girls/ Vijay Foundation Trust and Global Village Foundation, New Delhi, India;
JS13	Joint Submission 13 submitted by New Wind Association, Turku, Finland, Emmaus Aurinkotehdas ry, Finland and Global Human Rights Communications, India;
JS14	Joint Submission 14 submitted by the Working Group on Human Rights in India and the UN (WGHR) - a national coalition of 12 human rights organizations and independent experts from India: Citizens for Justice and Peace, Commonwealth Human Rights Initiative, FIAN India, HAQ: Centre for Child Rights, Housing and land rights network, Human Rights Alert, India Alliance For Child Rights, Lawyers Collective, Multiple Action Research Group, National Campaign on Dalit Rights, Partners for Law in Development, Peoples' Watch, and the report was endorsed by 1000 plus organizations and individuals;
JS15	Joint Submission 15 submitted by Christian Collective (A National Solidarity of the Indian Christian Community for Peace and Harmony), supported by Franciscans International, VIVAT International, Congregations of St. Joseph, Pax Romana, Sisters of Charity Federation, Society of Catholic Medical Missionaries;
JS16	Joint Submission 16 submitted by Housing and Land Rights Network India, New Delhi, India, on behalf of 81 supporting organizations: Adarsh Seva Sansthan, Aman Biradari, Amnesty International India, Apne Aap Women Worldwide, Association

for Regional and Tribal Development, Banglar Manabadhikar Suraksha Mancha (MASUM), Banyan, Banyan Academy of Leadership in Mental Health, Beghar Adhikar Abhiyan (Homeless Rights Campaign), Beghar Mazdoor Sangharsh Samiti (Homeless Workers' Struggle Committee), Borock People's Human Rights Organization, Business and Community Foundation, Campaign for Housing and Tenurial Rights, Centre for Holistic Development, Centre for Research and Advocacy, Centre for Social Equity and Inclusion, Centre for the Sustainable Use of Natural and Social Resources, Civil Society Forum on Human Rights, Committee for the Right to Housing, Deen Bandhu Samaj Sahyog, Delhi Housing Rights Task Force, Delhi Solidarity Group, Ekta – Women's Resource Centre, Ekta Mahila Manch – Ekta Parishad, Ekta Parishad, Environics Trust, Feminist Learning Partnerships, FIAN India, Ghar Bachao Ghar Banao Andolan, Grameena Mahila Okutta (Rural Women's Collective), Hamara Shahar Mumbai Abhiyan (Our City Mumbai Campaign), Haq: Centre for Child Rights, Human Development and Resource Centre, Human Rights Defenders Alert India, Human Rights Law Network, Human Welfare Voluntary Organisation, Humana People to People, India Alliance for Child Rights, Indian Social Institute Bangalore, Indo-Global Social Service Society, Information and Resource Centre for the Deprived Urban Communities, Initiative for Health and Equity in Society, Janpahal, Janvikas, Kannagi Nagar Pothu Nalla Sangam (Kannagi Nagar Residents Welfare Association), Shahri Adhikar Manch Begharon Ke Saath (Urban Rights Forum: With the Homeless), Karavali Janaabhivriddhi Vedhike (Karavalli People's Development Forum), Karnataka Working Group for Habitat III, Koshish, Field Action Project on Homelessness and Destitution, Tata Institute of Social Sciences, Maarga, Maharashtra Housing Forum, Mahilaye Pragati Ki Orr (Women for Progress), Mapithel Dam Affected Villages Organization, Montfort Social Institute, Nagara Vanchithara Vedhike (Forum of Urban Deprived Communities), Nari Utkas Samiti (Women's Empowerment Committee), National Campaign on Dalit Human Rights, National Centre for Advocacy Studies, National Federation of Dalit Land Rights Movements, Navnirmaan Manch, Nazdeek, Nidan, Ondede, Partners for Law in Development, Pehchaan, People's Rights and Social Research Centre, People's Watch, POSCO Pratirodh Sangram Samiti (POSCO Protest Collective), Prakriti, Rural Education for Development Society, Samata Trust, Slum Jagathu, Slum Janara Sanghatanegala Okkoota (Slum Dwellers' Organizations Forum), Social Need Education and Human Awareness, Society for Promotion of Integrated Development, Tamil Nadu Dalit Women's Forum, Tamil Nadu Women's Forum, Vigyan Foundation, Vimochana Forum for Women's Rights, Women in Governance–Northeast India, Women's Coalition for Change;

JS17 Joint Submission 17 submitted by HAQ: Centre for Child Rights, New Delhi, India; and Ankuram, Holistic approach for People's Empowerment (HOPE), Housing and Land Rights Network (HLRN), Jabala Action Research Group, Lehar, Mahila Jan Adhikar Samiti (MJAS), Mines, Minerals & People (MM&P), Samata- Assertion for People, NinenMine Campaign, Prayek, SAKTHI – VIDIYAL;

JS18	Joint Submission 18 submitted by Sexual Rights Initiative, Ottawa, Canada, and Creating Resources for Empowerment and Action (CREA), New Delhi, India;
JS19	Joint submission 19 submitted by the National Campaign on Dalit Human Rights (NCDHR), New Delhi India, with the support of All India Dalit Mahila Adhikar Manch, Dalit Ardhik Adhikar Andolan, National Dalit Movement for Justice ,National Dalit Watch jointly with two coalitions (a) National Coalition for Strengthening PoA Act and (b) National Coalition on SCP/ToP legislation;
JS20	Joint Submission 20 submitted by Institute of Human Rights Education (IHRE), Madurai, India, with partner organizations Asian Development Research Institute (ADRI), Patna, Bihar, Holistic approach for People's Empowerment (HOPE), Puducherry, Institute of Human Rights Education & Protection, Agartala, Tripura, Institute of Human Rights Education, Bhubaneswar, Odisha, People's Action for Rural Awakening (PARA), Andhra Pradesh & Telangana, RIGHTS, Trivandrum, Kerala, SAMEEKSHA, Ajmer, Rajasthan, and South India Cell for Human Rights Education and Monitoring (SICHREM), Bangalore, Karnataka, India;
JS21	Joint Submission 21 submitted by Center for Health Law, Ethics and Technology, (CHLET) Haryana, India and India HIV/AIDS Alliance, New Delhi, India;
JS22	Joint Submission 22, submission on the Status of Women's Rights and Gender Equality 2012-2016, submitted by Partners for Law in Development on behalf of 183 organizations and individuals, India;
JS23	National Law University, Delhi, India and World Coalition Against the Death Penalty, Montreuil, France;
JS24	Joint Submission 24 submitted by Indian American Muslim Council, Morton Grove, IL, USA, and Citizens for Justice and Peace (India);
JS25	Joint Submission 25 submitted by Civil Society Coalition for Human Rights in Manipur and the UN, Imphal, India, on behalf of Centre for Organization Research & Education (CORE), Centre for Research and Advocacy Manipur (CRAM), Citizens Concern for Dams and Development (CCDD), Civil Liberties and Human Rights Organization (CLAHRO), Civil Liberties Protection Forum (CLPF), Committee on Human Rights, Manipur (COHR), Extra-judicial Execution Victim Families' Association Manipur (EEVFAM), Families of the Involuntarily Disappeared's Association Manipur (FIDAM), Human Rights Alert (HRA), Human Rights Initiative (HRI), Human Rights Law Network Manipur (HRLN-M), Indigenous Perspective (IP), Just Peace Foundation (JPF), Movement for Peoples' Right to Information Manipur (M-PRIM), Threatened Indigenous Peoples Society (TIPS), and United Peoples Front (UPF);
JS26	Joint Submission 26, submission on Fulfilling Youth's Right to nutrition, health including reproductive and sexual health, and development in India, submitted by Centre for Health, Education, Training and Nutrition Awareness, (CHETNA) Gujarat, India and Family Planning Association of India (FPAIndia), Mumbai, India;
JS27	Joint Submission 27 submitted by Advocates for Human Rights, Minneapolis, USA, Indian American Muslim Council, DC, USA,

	Jamia Teachers Solidarity Association, New Delhi, India, Quill Foundation, New Delhi, India;
JS28	Joint Submission 28 submitted by Evangelical Fellowship of India (EFI), New Delhi, India, and endorsed by World Evangelical Alliance, Nagel Institute for the Study of World Christianity, Indian Social Institute - Bangalore, Biblica - The International Bible Society, India Missions Association, United Christian Forum, Oxford Center for Religion and Public Life – South Asia, Alliance Defending Freedom in India, Theological Research and Communications Institute, Indian American Muslim Council, Center for Policy Research;
JS29	Joint Submission 29 submitted by Asia Indigenous Peoples Pact, Chiang Mai, Thailand, on behalf of Adivasi Women's Network (AWN) Jharkhand, India); Borok Peoples Human Rights Organization (BPHRO) Tripura, India; Centre for Research and Advocacy (CRA) Manipur, India; Chhattisgarh Tribal Peoples Forum (CTPF); Indigenous Peoples Forum, Odisha (IPFO); Jharkhand Indigenous and Tribal Peoples for Action (JITPA), Jharkhand, India); Karbi Human Rights Watch (KHRW); Meghalaya Peoples Human Rights Council (MPHRC), Meghalaya, India); Naga Peoples Movement For Human Rights (NPMHR), Nagaland, India; Zo Indigenous Forum (ZIF), Mizoram, India;
JS30	Joint Submission 30 submitted by Anti-Slavery International, London, UK on behalf of Jan Jagriti Kendra (JJK), The National Domestic Workers' Movement (NDWM), Volunteers for Social Justice, India;
JS31	Joint Submission 31 submitted by PEN International, London, UK, and PEN Canada, and the International Human Rights Program at the University of Toronto Faculty of Law (IHRP);
JS32	Joint Submission 32 submitted by National Solidarity Forum, Bhubaneswar, Odisha, India, on behalf of 88 supporting organizations/individuals.
JS33	Joint submission 33, submitted by Action Aid India, New Delhi, India on behalf of its NGO partners, State Offices, Knowledge Hubs and Policy Unit;
JS34	Joint submission 34 submitted by the National Coalition for the Abolition of Bonded Labour, (Bhubaneshwar, Odisha, India), NCABL (Odisha), PVCHR (Utter Pradesh), Global Human Rights Communications (Odisha), National integration Council Govt. Of India (Delhi), Odisha Rationalist Society (Odisha), NAVSARJAN (Gujarat), Campaign against Camp Coolie system (Tamilnadu) , DASHRA (Bihar), NCDHR (Delhi), Khagapati Kumbhar, Jan Jagaran Dadan Sangh, Bolangir (Odisha), NASC (Tamilnadu), Gabesana Chakra (Odisha), NCAS, (Pune, Maharashtra), Goti Sharmika Surakshya Manch, (Odisha), Dadan Goti Shramik Surakshya Manch,(Odisha), Palli Alok Pathagara, (Odisha), PARDA, (Odisha), Debadutta Club, (Odisha), KARTABYA, (Odisha), Dadan Goti Shramik Surakshya Manch, (Odisha), Tribal Research and Training Centre, (Chaibasha, Jharkhand), Sangram Mallick, ALVM, (Odisha), CSFHR, (Odisha), India Media Centre, (Odisha), INSAF, (Odisha), HRD Alert, (Odisha), CSNR, (Odisha), ASHA, (Jharkhand), Agami Odisha, (Odisha), GCAP, (New Delhi), Odisha Peace Builders Forum, Odisha, India;
JS35	Joint Submission 35, submitted by Privacy International , London, UK and the Centre for Internet and Society India, India;

JS36	Joint Submission 36 submitted by Center for Reproductive Rights, New York, USA, and Human Rights Law Network, India;
JS37	Joint Submission 37 submitted by Edmund Rice International and Franciscans International, Geneva, Switzerland;
JS38	Joint Submission 38 submitted by CIVICUS: World Alliance for Citizen Participation, Johannesburg, South Africa; and Human Rights Defenders Alert (HRDA) – India; and supported by Civil Society Forum on Human Rights, Police Reforms Watch, Jharkhand Women's Network, Socio Legal Information Centre, Human Rights Alert, All India Secular Forum, White Lotus Charitable Trust, Citizens for Justice and Peace, People's Action For Rural Awakening, Centre for Human Rights and Development, Commonwealth Human Rights Initiative, Towards Advocacy Network Developmental Action, National Alliance Group for Denotified and Nomadic Tribe, Helpage India – Delhi, National Campaign on Dalit Human Rights, People's Watch, South India Cell For Human Rights Education And Monitoring, Voice of Patient and Centre for Human Rights Studies, O.P.Jindal Global University;
JS39	Joint Submission 39 submitted by National Coalition for Education in India (NCE-India), World Vision, RTE Forum, PCCSS, AIPTF, NCE, All India Federation of Teachers Organizations (AIFTO), All India Secondary Teacher's Federation (AISTF);, Unorganised Labour Union, Lucknow, Uttar Pradesh; Bal Kalyan avam Shodh Sangsthan, Allahabad, Uttar Pradesh;
JS40	Joint Submission 40 submitted by IIMA - Instituto Internazionale Maria Ausiliatrice and VIDES International - International Volunteerism Organization for Women, Education and Development, Veyrier, Switzerland;
JS41	Joint Submission 41 submitted by the Coalition of Tamil Nadu Civil Society Groups, Tirunelveli, India, based on contributions from over 50 civil society groups, community based organizations and grassroots movements from Tamil Nadu;
JS42	Joint Submission 42, submission on Every Woman's Right to Continuum of Quality and Respectful Maternal Care in India, submitted by SuMa Rajasthan White Ribbon Alliance for Safe Motherhood, Gujarat, India;
JS43	Joint Submission 43 submitted by India Alliance For Child Rights, New Delhi, India on behalf of the National NGO Child Rights Coalition (NNCRC);
JS44	Joint Submission submitted by Global Human Rights Communications, Bhubaneswar, Odisha, India with endorsement from Indian Community Activist Network (ICAN), Bangalore, Karnataka; Karbi Human Rights Watch, Assam; Naga Women Union; North East India Centre for Indigenous Culture and Development Studies (NEICICDS); Peace Core Team Manipur (PCTM); Prafulla Kumar Dhal, The Analytics, Bhubaneswar; Rajasthan Majdoor Kishan Union, Udaipur, Rajasthan; New Wind Association, Finland;
JS45	Joint Submission 45 submitted by Jammu and Kashmir Coalition of Civil Society (JKCSS) and Association of Parents of Disappeared Persons (APDP), Srinagar, India.

National human rights institution(s):

NHRC-India	National Human Rights Commission India, New Delhi, India.

[2] NHRC-India, main submission and Annex 1.

[3] A/HRC/21/10 and Add.1, para. 138.70 (Lao People's Democratic Republic). See also, A/HRC/8/26,

para. 86.12 (Nigeria).

[4] NHRC-India, paras. 48-49.

[5] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.1, (Spain), 138.3 (United Kingdom), 138.4 (United States of America), 138.5 (Iraq), 138.6 (Republic of Korea), 138.7 (Italy), 138.8 (Maldives), 138.12 (Australia), 138.13 (Austria), 138.15 (Botswana), 138.16 (Brazil), 138.17 (Czech Republic), 138.18 (Portugal), 138.28 (Sweden), 138.29 (Indonesia), 138.32 (Switzerland) and 138. 36 (Timor-Leste). See also, A/HRC/8/26, para. 86.1 (United Kingdom, France, Mexico, Nigeria, Italy, Switzerland and Sweden).

[6] NHRC-India, para. 4.

[7] For relevant recommendation see A/HRC/21/10 and Add.1, para. 138.89 (Argentina).

[8] NHRC-India, para. 53.

[9] For relevant recommendation see A/HRC/21/10 and Add.1, para. 138.167 (Senegal).

[10] NHRC-India, para. 46.

[11] For relevant recommendation see A/HRC/21/10 and Add.1, para. 138.125 (Holy See).

[12] For relevant recommendation see A/HRC/21/10 and Add.1, para. 138.79 (Islamic Republic of Iran).

[13] NHRC-India, para. 21.

[14] NHRC-India, para. 33.

[15] For relevant recommendation see A/HRC/21/10 and Add.1, para. 138.127 (Austria).

[16] NHRC-India, para. 51.

[17] For relevant recommendation see A/HRC/21/10 and Add.1, para. 138.122 (Thailand).

[18] NHRC-India, paras. 7-8.

[19] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.107 (Islamic Republic of Iran), 138.108 (Ukraine) and 138.111 (Holy See).

[20] NHRC-India, para. 29.

[21] NHRC-India, para. 30.

[22] NHRC-India, para. 31.

[23] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.51 (Greece), 138.74 (Botswana), 138.78 (Holy See), 138.129 (Islamic Republic of Iran), 138.134 (Chad), 138.135 (Malaysia), 138.140 (South Africa), 138.141 (Bolivarian Republic of Venezuela), 138.142 (Kuwait), 138.143 (Myanmar), 138.144 (Singapore) and 138.145 (Cuba).

[24] NHRC-India, para. 36.

[25] NHRC-India, para. 39, see also, para. 34.

[26] NHRC-India, para. 42, see also, para. 34..

[27] NHRC-India, para. 43.

[28] NHRC-India, para. 23.

[29] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.136 (Saudi Arabia) and 138.168 (Islamic Republic of Iran). See also, 139.148 (United Arab Emirates).

[30] NHRC-India, para. 41.

[31] For relevant recommendation see A/HRC/21/10 and Add.1, para.138.139 (Myanmar). See also, 138.148 (United Arab Emirates).

[32] NHRC-India, para. 40.

[33] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.130 (Viet Nam), 138.135 (Malaysia), 138.146 (Saudi Arabia), 138.148 (United Arab Emirates), 138.156 (Honduras), 138.157 (Cuba), 138.158 (Senegal) and 138.168 (Islamic Republic of Iran).

[34] NHRC-India, para. 37.

[35] For relevant recommendation see A/HRC/21/10 and Add.1, para. 138.82 (Morocco). See also, paras. 138.64 (Norway), 138.76 (Nepal), 138.77 (Qatar), 138.80 (Kuwait), 138.81 (Bahrain), 138.83 (Bolivarian Republic of Venezuela), 138.84 (Trinidad and Tobago) and 138.86 (Egypt).

[36] NHRC-India, para. 16. See also, para. 15.

[37] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.2 (Sweden), 138.148 (United Arab Emirates), 138.150 (Austria), 138.151 (Egypt), 138.152 (Norway), 138.153 (Finland) and 138.155 (Liechtenstein). See also, A/HRC/8/26, para. 86.11 (Mexico).

[38] NHRC-India, para. 10.

[39] NHRC-India, para. 9.

[40] NHRC-India, para. 11.

[41] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.152 (Norway) and 138.155

(Liechtenstein).

42 NHRC-India, para. 13.

43 NHRC-India, para. 14.

44 For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.52 (Indonesia), 138.55 (Sri Lanka), 138.157 (Cuba), 138.158 (Senegal), 138.160 (Greece), 138.161 (Slovakia), 138.162 (Ecuador), 138.165 (Qatar), 138.166 (Australia) and 138.104 (Liechtenstein).

45 NHRC-India, para. 50.

46 NHRC-India, para. 18. See also, NHRC-India, para. 38.

47 NHRC-India, para. 28.

48 NHRC-India, para. 18.

49 For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.87 (Holy See) and 138.102 (Switzerland).

50 NHRC-India, para. 12.

51 NHRC-India, para. 26.

52 For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.39 (Algeria), 138.79 (Islamic Republic of Iran) and 138.106 (Mexico).

53 NHRC-India, para. 20.

54 NHRC-India, para. 20.

55 For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.103 (Bahrain) and 138.114 (Angola).

56 NHRC-India, para. 24.

57 NHRC-India, para. 25.

58 NHRC-India, para. 35.

59 For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.166 (Australia) and 138.167 (Senegal).

60 NHRC-India, para. 46. See also, para. 45.

61 For relevant recommendations see A/HRC/21/10 and Add.1, para. 138.7 (Ghana), 138.87 (Holy See) and 138.125 (Holy See).

62 NHRC-India, para. 17.

63 NHRC-India, para. 56.

64 NHRC-India, para. 55.

65 The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD

ICPPED International Convention for the Protection of All Persons from Enforced Disappearance.

[66] For relevant recommendations, see A/HRC/21/10, paras. 138.1-30, 138.32, 138.36-38, 138.63-70, 138.95, 138.101, 138.121, 138.128.

[67] For relevant recommendations, see A/HRC/21/10, paras. 138.1 (Spain), 138.3 (United Kingdom), 138.4 (United States of America), 138.5 (Iraq), 138.6 (Republic of Korea), 138.7 (Italy), 136.8 (Maldives), 138.12 (Australia), 138.13 (Austria), 136.15 (Botswana), 138.16 (Brazil), 138.17 (Czech Republic), 138.18 (Portugal), 138.24 (France), 138.28 (Sweden), 138.29 (Indonesia), 138.32 (Switzerland) and 138.36 (Timor-Leste). See also, A/HRC/8/26, para. 86.1 (United Kingdom, France, Mexico, Nigeria, Italy Switzerland, Sweden).

[68] JS27, para. 5 and recommendation, p.10.

[69] For relevant recommendations, see A/HRC/21/10, paras. 138.1 (Spain), 138.5 (Iraq), 138.10 (Uruguay), 138.13 (Austria), 136.14 (Slovakia), 138.18 (Portugal), 138.19 (Brazil), 138.21 (Czech Republic), 138.23 (Republic of Korea), 138.24 (France), 138.25 (Ghana), 138.26 (Ghana), 138.28 (Sweden), 138.30 (Slovakia), 138.37 (Timor-Leste), 138.38 (Costa Rica), 138.95 (France), 138.101 (Portugal), 138.112 (Ireland), 138.113 (Norway) and 138.128 (Hungary). See also, A/HRC/8/26, paras. 86.6 (Brazil), 86.7 (Brazil, Sweden)and 86.12 (Nigeria).

[70] JS45, recommendation 40; AI, recommendations, p.7; HRW, recommendations, p.2 and p.6; ICJ, recommendation, para. 34 (j); JS1, recommendations, paras. 2.3, 2.4, 5.1, 12.3, 28.2 and 31.1; JS14, recommendations pages 8, 10 12 and 15; JS8, recommendation, para. 74; JS2, recommendation, para.36.8; JS30, recommendations, pp.10-11; CCL-NLSIU, recommendation 48; Cultural Survival, recommendation 1; JS25, recommendation, Section G, para. (n), see also paras 24 and 43; JS29, recommendations, para. 6; PACTI, recommendation 6; KIIR, section IV ; PHR, recommendations, p.5; FFF, recommendations p.3; ZIF, recommendations (iv) and (x) and JS41, pp. 5-6, section on refugees, recommendations.

[71] For relevant recommendations, see A/HRC/21/10 and Add.1, para. 138.66 (Belgium). See also, A/HRC/21/10, para. 69.

[72] For relevant recommendation, see A/HRC/21/10, para. 138.69 (Hungary).

[73] JS14, paras. 91-94 and recommendations. See also, JS2, para. 36, recommendations 4, 5 and 8.

[74] PVCHR, page 6.

[75] JS25, para 60.

[76] JS11, para. 1.2. See also, JS38, para. 3.8 and APDP, para. 21.

[77] KIIR, VIII.2, See also, KSCCS, recommendation, para. 37.

[78] For relevant recommendations, see A/HRC/21/10, paras.138.3, 138.6, 138.12, 138.24, 138.32-36, 138.44-45, 138.54-60, 138.63-64, 138.71, 138.75 and 138.133.

[79] HRW, p.2, recommendations.

[80] KSAG, recommendations, para. 11.3. See also, PACTI, recommendation 4; JS22, recommendation 6, section on conflict; JS29, para. 56, recommendations; PHR, recommendation, p.5/6.

[81] For relevant recommendation see A/HRC/21/10, para. 138.56 (United Kingdom). See also, A/HRC/8/26, recommendation para. 86.3 (Ghana).

[82] JS14, para. 88.

[83] JS6, paras. 2.5.1.1 and 2.3.1.4 and annex.

[84] JS6, recommendations, paras. 3.1.1-3.1.15, 3.2.1-3.2.10 and 3.3.1-3.3.2; and JS14, paras 88-90 and recommendations.

[85] JS40, para. 8.a. See also, JS37, para. 105.

[86] OceaniaHumanRights, p.3. See also, FFF, recommendations.

[87] For relevant recommendations see A/HRC/21/10 and Add.1, para. 138.55 (Sri Lanka), 138.59 (Malaysia) and 138.60 (Iraq).

[88] JS20, paras. xxxiii and xxxiv.

[89] JS20, para. xxiv and recommendation xxxviii; and GOODGroup, p. 2. See also, CCL-NCS, recommendation, para. 41.

[90] For relevant recommendations, see A/HRC/21/10, paras. 138.43, 138.47, 138.53, 138.65, 138.68, 138.71-73, 138.75, 138.87, 138.89-90, 138.118, 138.131-132, 138.162-163 and 138.167. See also, A/HRC/8/26, paras. 86.5 and 86.13.

[91] For relevant recommendations, see A/HRC/21/10 and Add.1, paras. 138.131 (Mexico) 138.132 (Holy See).

[92] JS17, p.3.
[93] For relevant recommendations see CEDAW/C/IND/CO/4-5, paras.8-9 and A/HRC/21/10, para. 138.53 (Ireland).
[94] JS22, section on anti-discrimination, equal opportunity and empowerment, recommendation 1, p.2 and annex. See also, JS24, recommendation 3, p.10.
[95] JS43, paras. 35-38 and recommendation 1.
[96] JS33, section VII on Denotified communities.
[97] JS19, p. 5 and annex.
[98] JS14, paras. 76-77 and recommendations and JS44, p.4, section B and p.7, section I, recommendations.
[99] HRW, p.1.
[100] JS40, para. 28.
[101] HRW, p.1.
[102] JS19, section IV on women's rights, p.11 and annex.
[103] AI, recommendations, section on caste-based discrimination and violence, p.7.
[104] JS21, paras. 3 and 17-38.
[105] JS18, paras. 37 and 34.
[106] HRW, p.1. See also, CREA, para. 7.1.
[107] .S21, para. 13. See also, CREA, section 7 on lack of a comprehensive legal recognition and protection for transgender people, paras. 7.1-7.3 and recommendations.
[108] ICJ, para. 34 b. See also, CREA, section 7 on lack of a comprehensive legal recognition and protection for transgender people, paras. 7.1-7.3 and recommendations.
[109] For relevant recommendations, see A/HRC/21/10, 138.51, 138.62, 138.77, 138.145 and 138.168.
[110] JS37, paras. 15, 20, 25, 30, 35, 40, 45, 50, 55, 60 and 65.
[111] For relevant recommendation, see A/HRC/21/10, para. 138.75 (Ghana).
[112] JS40, paras. 12 a, 26 c and 32 b.
[113] AI, p. 5 and recommendations, p.8.
[114] JS44, part C on Odisha Industrial Security Force Act, pp. 4-5 and recommendations, p.7.
[115] JS16, p.9, annex 1.
[116] JS37, paras. 42-46 and 67-86.
[117] JS1, para.20. See also, JS44, section A on National Green Tribunal Act, pp.2-3.
[118] For relevant recommendations, see A/HRC/21/10, paras. 138.35, 138.44-45, 138.79, 138.91-138.101 and 138.119-121.
[119] For relevant recommendations see A/HRC/21/10, paras. 138.91 (Ireland), 138.92 (Slovakia), 138.93 (Spain), 138.94 (Chile), 138.95 (France), 138.96 (Belgium), 138.97 (Italy), 138.98 (Switzerland), 138.99 (Argentina), 138.100 (Norway) and 138.101 (Portugal).
[120] HRW, p.6.
[121] JS23, pp.1-5.
[122] AI, recommendations, p.7.
[123] LC, section on drug offences punishable by death, recommendation 1.
[124] JS14, paras. 25-26 and 39.
[125] HRW, p.1.
[126] For relevant recommendations see A/HRC/21/10, paras. 138.35 (Switzerland), 138.44 (Slovakia) and 138.45 (France).
[127] JS14, paras. 24-35, recommendations. See also, JS29, paras. 53 and 56, recommendations.
[128] JS22, section on violence against women/children, recommendations, p.6 and endnote 13, and annex.
[129] APDP, recommendation A.
[130] PVCHR, p.2, JS11, paras. 2.17 and 2.19 and JS1, paras. 4-5. See also, JS8, paras. 7 and 60-77.
[131] AI, p.1.
[132] JS14, para. 38. See also, JS11, paras. 2.20-2.21.
[133] HRW, p. 2 and JS27, recommendations, p.11.
[134] JS14, paras. 36-41, recommendations.
[135] For relevant recommendations, see A/HRC/21/10, paras. 138.4, 138.62, 138.117-138.124 and 138.127.
[136] JS11, paras. 2.6, 2.10 and 2.12.
[137] For relevant recommendation, see A/HRC/21/10, para.138.122 (Thailand).

[138] AI, p.1.
[139] JS45, paras. 8 and 12.
[140] SAHRDC, paras. 14-15 and annex. See also, JS24, p.9, point 11 and JS14 para. 75 and recommendations.
[141] CRIN, paras. 1.4 and 4, pp.2-3.
[142] For relevant recommendations, see A/HRC/21/10, paras. 138.37, 138.42-43, 138.48-50, 138.63, 138.67-68, 138.72, 138.79, 138.118, 138.121, 138.123-127 and 138.169.
[143] JC, para. 4; CSW, para. 10; JS4, paras. 2.1-2.3; JS15, paras. 8-10; JS24, p.1; JS27, para.1; JS28, p.4, para. 1; and JS32, section 3. See also, HRW, p.4; EAJCW, paras. 8-22.
[144] CSW, paras. 10-11; JS4, para. 3.2 and annex; JS15, paras. 26 and 32; JS27, para. 10; JS28, paras. 31-32 and annex; and JS32, para. 2.16.
[145] CSW, paras. 10-11; JS4, para. 3.3 and annex; JS24 para 2; JS27, para. 11; JS28, pp.5-6, paras. 5-6; and JS32, para.3.1. See also, AI, p.4.
[146] JS14, paras.73-75 and recommendations. See also, AI, p.4 and p.8.
[147] JS32, para. 2.12, p.10 and p.13. See also, ADFInternational, paras 21 and 23; CSW, para.22; JS4, paras. 7.1 and 8.1; JS15, paras. 29-32; JS24, p. 4 and p.9; JS27, para. 24; JS28, p.9; and JS14, paras. 73-75.
[148] JS32, pp.9-10 and endnote 23 and CSW, para. 18. See also, JS4 para. 5.3; JS15, paras. 33-37 and recommendations; JS24, pp.3-4; and JS14, paras. 73-75.
[149] JS32, p. 3, p.9 and p.12; JS24, pp.3-7; JS4, para. 5.3; JS15, paras. 23-25 and recommendations; JS27, para. 8 and recommendations, p.10; JS28, p 7 and p.17; and JS14, paras. 73-75.
[150] JS32, p.11, para. 2.14; JS24 para. 5 p.8 and p.10; and JS14, para. 74.
[151] For relevant recommendations see A/HRC/21/10 and Add.1, para. 138.127 (Austria).
[152] JS31, paras. 51 and 54.
[153] ICJ para.28. See also, ICJ, para. 29.
[154] Access-Now, paras. 2 and 8-11 and JS3, para. 49.
[155] For relevant recommendations see A/HRC/21/10, paras. 138.43 (Czech Republic), 138.67 (Spain), 138.68 (Norway) and 138.121 (Iraq).
[156] JS38, paras. 3.1, 3.2, 3.7 and 7.1 and annex. See also JS33, section on human rights defenders.
[157] AI, p.4. See also, CSW, para. 25; and JS25, paras. 13-14.
[158] ICJ paras.28-29. See also, AI, pp.3-4, recommendation, p.7; CSW, paras. 28-30; HRW, p.3; ZIF, p.9; JS6, paras. 2.3.1.3, 2.3.1.4 and 3.2.7; JS13, para. 28; JS14, para. 79 and recommendations; JS25, paras. 11-14 ; JS27, paras. 25-26; JS28, para. 15; JS29, paras. 29 and 31; JS32, section 2, paras. 2.1, 2.7-2.9 and 2.15; JS38, paras. 2.3-2.7; JS44, p.5; and JS20, section 3.1.4, para. (xxiii).
[159] For relevant recommendations, see A/HRC/21/10, paras. 138.5, 138.10, 138.26, 138.28, 138.40, 138.107-115, 138.128.
[160] JS30 paras. 2-4 and 27-35. 5
[161] JS34, paras. 5-6.
[162] JS14, paras 46-49 and recommendations.
[163] JS30, para. 22.
[164] JS34, recommendations, para. 33 (ii),
[165] JS8, para. 26.
[166] For relevant recommendations see A/HRC/21/10, paras. 138.40 (Canada), 138.107 (Islamic Republic of Iran), 138.108 (Ukraine) and 138.111 (Holy See).
[167] JS17, section 5 on child trafficking, p.9. See also, JS30, para. 43 and section V, recommendations on the proposed trafficking law.
[168] JS18, paras. 1-33 and recommendations, paras. 34 and 37; JS9, paras. 1, 3, 8, 10-31 and recommendations paras 32-34; and CREA, paras. 6.1-6.2 and recommendations 1-3. See also, JS30, para. 43 and section V recommendations on the proposed trafficking law.
[169] JS31, para 70.
[170] Internet-D-P, p.7, recommendations in section B on Right to privacy, point 35.
[171] JS35, p. 14, para. 48, recommendations.
[172] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.51 (Greece), 138.78 (Holy See), 138.129 (Islamic Republic of Iran), 138.135 (Malaysia), 138.142 (Kuwait).
[173] JS22, section 2 on gender architecture and budgeting, p.4, recommendation 3.
[174] For relevant recommendations, see A/HRC/21/10, paras. 138.51, 138.74, 138.130, 138.134-138.145

and 138.148.

[175] For relevant recommendations see A/HRC/21/10, para. 138.134 (Chad) and A/HRC/8/26, para. 86.10 (Algeria).

[176] JS33, p.17, conclusion and JS14, paras. 3-6.

[177] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.136 (Saudi Arabia) and 138.168 (Islamic Republic of Iran).

[178] JS14, paras. 15-17 and recommendations. See also, JS42, p.7, recommendation 8, and CCL-NLSIU, recommendation para. 56.

[179] JS16, annex, page 20.

[180] A/HRC/23/10, para. 138.137 (Algeria) and A/HRC/8/26, para. 86.18 (Tunisia).

[181] JS16, paras. 1, 3 and 5.

[182] JS16, para. 3; JS14, para. 12 and also paras. 7-1 and 13-14 and recommendations; JS9, paras. 20-21 and 29 and annex; JS8, paras. 41-59; JS18, para. 33; AI, p.5; HRW, p.3; ZIF, p.7; JS13, paras.8, 14-17; JS25, paras. 27, 51, 53, 55 and 60; JS29, paras. 24, 32, 38, 40, 44, 53-54; JS33, section I on housing, pp.3-4 and section VI on Indigenous Community People (Tribal), pp.10-11. See also, JS1, recommendation 18.3; JS7, section 4, pp.6-7; JS18, para. 33; JS19, p. 14 and p.17, recommendation 4; JS22, section 8 on labour and livelihoods, recommendation 4, p. 17; JS24, p.10, recommendation 3; JS28, para. 23; JS30, paras. 8 and 17; JS34, paras. 7, 10 and 14; JS38, paras. 5.3, 3.7 and 3.5.

[183] JS37, para.65 and JS16, para 77 recommendations.

[184] JS16, para. 28, recommendations.

[185] JS14, paras. 7-14 and recommendations and JS16, recommendations, para.16.

[186] For relevant recommendations, see A/HRC/21/10, paras. 138.54, 138.130, 138.135, 138.146-159 and 138.168.

[187] JS14, section on right to health, recommendations.

[188] LC, p.2, section on Urgent need for rights-based response to HCV and TB.

[189] JS10, paras. 14, 16, 19, 21-22 and annexes.

[190] JS36, para. 19 and recommendation 3.

[191] For relevant recommendations see A/HRC/21/10 paras. 138.150 (Austria), 138.151 (Egypt), 138.152 (Norway) and 138.153 (Finland).

[192] JS26, introduction. See also, JS42, introduction, p. 2 and JS37, paras 25 and 26, recommendations.

[193] JS26, p.2 and CREA, paras. 5.1-5.3 and recommendations.

[194] JS26, p.3 and p.7, recommendation 6. See also, CREA, paras. 5.1-5.3 and recommendations.

[195] For relevant recommendations, see A/HRC/21/10, paras. 138.52, 138.54-55, 138.104, 138.115, 138.135, 138.149, 138.157-158 and 138.160-166.

[196] JS22, section on education, pp.13-15 and JS39, pp.2-15.

[197] For relevant recommendations see A/HRC/21/10 and Add.1, paras. 138.52 (Indonesia), 138.55 (Sri Lanka), 138.135 (Malaysia), 138.157 (Cuba), 138.158 (Senegal), 138.160 (Greece), 138.161 (Slovakia), 138.162 (Ecuador), 138.165 (Qatar) and 138.166 (Australia); and A/HRC/21/10, paras. 138.115 (Ireland), 138.149 (Slovenia), 138.163 (Japan) and 138.164 (Mexico).

[198] JS22, section 7 on education, pp.13-15. See also, JS39, recommendations 1-5.

[199] JS17, section 7 on right to education, pp.13-15 and JS2, para. 36, recommendation 3.

[200] JS22, section 7 on education, p.15, recommendation 2 and JS39, recommendation 1.

[201] CCL-NLSIU, p.4, recommendation 43. See also, JS22, section on education, pp.13-15; JS17, section 7, pp.12-13; JS37, pp.4-5, and JS14, paras. 20-23 and recommendations.

[202] For relevant recommendations, see A/HRC/21/10, paras. 138.2, 138.19, 138.21-23, 138.31, 138.37-38, 138.41-42, 138.54, 138.64, 138.68, 138.71-72, 138.74-77, 138.79-88, 138.102, 138.105-106, 138.109 138.130, 138.144, 138.150-155. See also, A/HRC/8/26/Add.1, paras. 86.6, 86.11, 86.13 and 86.17.

[203] For relevant recommendations see A/HRC/21/10, para. 138.152 (Norway) and A/HRC/21/10/Add.1, page 6 and A/HRC/21/10, para. 138.41 (Canada). See also A/HRC/21/10, para. 138.55 (Liechtenstein).

[204] JS12, Executive Summary.

[205] JS1, para. 17.

[206] JS42, p.7, recommendations, 9. See also, JS42, p. 5 and p.7, recommendations, 2, 4, 8 and 11, and JS33, section II on health, recommendation 3.

[207] JS3, paras. 12, 51-52 and 77. See also, Internet-D-P, paras. 39 and 42.

[149] JS15, section IX on conditions of detention, recommendations.
[150] AI, p.5 and p.1.
[151] HRW, p.1 and pp.5-6.
[152] AI, recommendations , p.8, section on violence against women. See also, HRW, pp.5-6.
[153] For relevant recommendations, see A/HRC/21/10, paras. 138.10, 138.26, 138.28, 138.39-41, 138.46, 138.52, 138.61, 138.68, 138.75-76, 138.79, 138.85, 138.88, 138.102-106, 138.109, 138.112-116, 138.128, 138.130-133, 138.140, 138.144, 138.150-152, 138.160, 138.162-166. See also, A/HRC/8/26, para. 86.11.
[154] JS17, p. 18. See also, JS14, para. 57 and recommendations.
[155] JS10, para. 25. See also JS17, p.9.
[156] AI, p.5 and recommendations, p.8.
[157] JS12, Executive Summary.
[158] For relevant recommendations see A/HRC/21/10, and Add.1, para. 138.114 and A/HRC/21/10, 138.40 (Canada), 138.46 (Germany), 138.112 (Ireland), 138.113 (Norway), 138.115 (Ireland) and 138.128 (Hungary).
[159] JS40 para. 17, pp.4-5 and JS17, section on child labour, pp.3-5. See also JS17, section on children in mining areas, pp.15-16.
[160] JS40, paras. 24-25 and recommendation, para. 26 part b.
[161] For relevant recommendations, see A/HRC/21/10, paras. 138.164 and 138.166-167.
[162] HRW, p.1.
[163] JS5, para. 35, recommendations under general and violence against women sections, pp.10-11. See also CREA, section 4, paras. 4.1-4.6 and recommendations.
[164] For relevant recommendations, see A/HRC/21/10, paras. 138.5, 138.26, 138.43, 138.47, 138.68, 138.71-73, 138.75, 138.87, 138.118, 138.125 and 138.131.
[165] JS29, para. 8.
[166] JS33, pp.10-11, section VI on indigenous community people (tribals), recommendation 4.
[167] JS29, para. 14, recommendation. See also, JS29, para. 9.
[168] JS1, para. 19.
[169] JS14, para. 67.
[170] JS29, paras. 8-16. See also, JS7, pp.6-7.
[171] JS13, paras. 39-41 and see also paras. 3, 6, 9, 14, 16, 21, 22, 24, 29, 32, 33, 35, 36 and 38, and JS29, paras. 34 and 36.
[172] CS, p.6, section C on Violations of Free, Prior and Informed Consent by Extractive Industries, and JS29, paras. 44-49.
[173] JS14, paras. 66-69, JS29, paras. 39-43, ZIP, p. 7, JS7, section 4 on land alienation, JS2, para. 34.
[174] JS14, paras. 66-69 and recommendations. See also, JS29, paras. 12-13, 15-16 and 34, CS, p.5, Section C on Violations of Free, Prior and Informed Consent by Extractive Industries and p.8, recommendation 2, and JS1, paras. 19 and 21.1 and recommendations, paras. 14.2 and 14.5.
[175] JS29, para. 6. See also, INDIGENOUS1893, recommendation 1.
[176] JS27, para. 30. See also, HRW, p. 1 and JS25, para.40.
[177] JS25, Section G, recommendation a) and JS2, para. 36, recommendations 7 and 6.
[178] For relevant recommendations, see A/HRC/21/10, para. 138.25.
[179] JS41, pp.5-6, section on refugees, recommendations.
[180] JS14, para. 32. See also, PACTI, pp.1-8, including recommendations.
[181] PACTI, executive summary, and pp.1-8.
[182] KSAG, KHR, PHR, APDP, JS45, ICJ, para. 27, AI, p.6 and HRW, p.3.
[183] JS45, paras.5-12, APDP, pp. 5-8 PHR, pp.2-4 and ICJ, para.27.
[184] PHR, pp. 5-6, section on recommendations.